

U.S. MAGISTRATES RETIREMENT SYSTEM

HEARING

BEFORE THE

SUBCOMMITTEE ON COURTS

OF THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

S. 2529

A BILL TO AMEND TITLE 28 OF THE UNITED STATES CODE TO PROVIDE FOR RETIRED MAGISTRATES TO BE RECALLED TO SERVICE AND TO PROVIDE A RETIREMENT SYSTEM FOR UNITED STATES MAGISTRATES EQUAL TO THE RETIREMENT SYSTEM FOR BANKRUPTCY JUDGES

JULY 25, 1986

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U.S. MAGISTRATES RETIREMENT SYSTEM

FRIDAY, JULY 25, 1986

U.S. SENATE,
SUBCOMMITTEE ON COURTS,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:10 a.m., in room SD-226, Dirksen Senate Office Building, Hon. Mitch McConnell (chairman of the subcommittee) presiding.

Present: Senator Heflin.

Staff present: Larry Herman, chief counsel, Subcommittee on Courts; Mike Regan, counsel, Committee on the Judiciary; and Karen Kremer, chief minority counsel, Subcommittee on Courts.

OPENING STATEMENT OF HON. MITCH McCONNELL, A U.S. SENATOR FROM THE STATE OF KENTUCKY

Senator McCONNELL. This hearing will come to order. It is on the U.S. magistrates retirement system. We have several witnesses today. I see that Senator Heflin is here and I would like to see if he has an opening statement.

OPENING STATEMENT OF HON. HOWELL HEFLIN, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator HEFLIN. Well, I would first like to commend the chairman of the Judiciary Committee for his wisdom in appointing Senator McConnell as the chairman of the Subcommittee on Courts, and I believe this is the first hearing that Senator McConnell will preside at in his new duties as chairman of the Subcommittee on Courts.

I have been the ranking member and served with Senator East as we endeavored to try to work together for the benefit of the court system in the United States, and I am sure that effort of co-operation, and the endeavor to try to improve the judicial system, will continue with Senator McConnell.

I think that he is a very fine person and we look forward to working with you. So I commend Chairman Thurmond for his wisdom in appointing you, and we look forward to working with you.

In regard to this bill I feel that this is needed. I think a retirement program for our magistrates commensurate with the retirement program for bankruptcy judges is entirely appropriate and the provision calling for recall is a provision that can help to relieve some of the backlog problems that we have in various courts,

to call them forward in many aspects. I was just recalling the Bankruptcy Act of recent vintage, by which, in the Senate-passed version, we provided that bankruptcy judges would have the power of a magistrate when a U.S. district judge would declare him with those powers and ask him to act as a magistrate in certain types of cases where there was a requirement of the article III judge and the article III judge dealing with the constitutionality of the bankruptcy courts.

So, in effect, we realize the importance of the magistrates relative to bankruptcy, and how the bankruptcy judges and magistrates could work together. The Senate-passed version, that I believe was changed substantially in the final version, was to the effect that bankruptcy judges would have the same powers as magistrates have.

I think that certainly, relative to a retirement program, there is no question that the magistrates ought to have a retirement system that is commensurate with the bankruptcy judges.

So, I congratulate you on this hearing, and I hope that we can move this legislation forward.

[A copy of S. 2529 follows:]

99TH CONGRESS
2D SESSION

S. 2529

To amend title 28 of the United States Code to provide for retired magistrates to be recalled to service and to provide a retirement system for United States magistrates equal to the retirement system for bankruptcy judges.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 1986

Mr. THURMOND (for himself, and Mr. LAXALT) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28 of the United States Code to provide for retired magistrates to be recalled to service and to provide a retirement system for United States magistrates equal to the retirement system for bankruptcy judges.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 631(d) of title 28, United States Code, is
4 amended by striking out "No" and inserting in lieu thereof
5 "Except as otherwise provided in section 636(h) allowing re-
6 tired magistrates to be recalled to serve, no".

7 SEC. 2. Section 636 of title 28, United States Code, is
8 amended by adding at the end thereof the following:

1 “(h) A United States magistrate who has retired may,
2 upon consent of the chief judge of the district involved, be
3 recalled to serve as a magistrate in any judicial district by the
4 judicial conference. Upon recall, a magistrate may receive a
5 salary for such service in accordance with regulations pro-
6 mulgated by the conference, subject to the restrictions on the
7 payment of an annuity in subchapter III of chapter 83 of
8 title 5.”.

9 SEC. 3. Section 8331 of title 5, United States Code, is
10 amended by—

11 (1) striking out “and” at the end of paragraph
12 (23);

13 (2) striking out the period at the end of paragraph
14 (24) and inserting in lieu thereof “; and”; and

15 (3) adding at the end thereof the following:

16 “(25) ‘magistrate’ or ‘United States magistrate’
17 means an individual appointed under section 631 of
18 title 28.”.

19 SEC. 4. (a) Section 8334(a)(1) of title 5, United States
20 Code, is amended by inserting after “Member”, the follow-
21 ing: “, a United States magistrate,”.

22 (b) Section 8334(c) of title 5, United States Code, is
23 amended by adding at the end of the table thereof the
24 following:

"United States magistrate.	2½.....	August 1, 1920, to June 30, 1926.
	3½.....	July 1, 1926, to June 30, 1942.
	5.....	July 1, 1942, to June 30, 1948.
	6.....	July 1, 1948, to October 31, 1956.
	6½.....	November 1, 1956, to December 31, 1969.
	7.....	December 31, 1969, to December 31, 1986.
	8.....	After December 31, 1986."

1 SEC. 5. Section 8336 of title 5, United States Code, is
2 amended by—

3 (1) redesignating subsection (m) as subsection (n);
4 and

5 (2) inserting after subsection (l) the following:

6 "(m) A magistrate who is separated from service, except
7 by removal, after becoming 62 years of age and completing
8 10 years of service as a magistrate is entitled to an
9 annuity."

10 SEC. 6. Section 8339 of title 5, United States Code, is
11 amended—

12 (1) in subsections (f), (i), (j), (k)(1), (l), and (m) by
13 striking out "and (n)" each place it appears and insert-
14 ing in lieu thereof ", (n), and (p)";

15 (2) in subsection (g) by striking out "or (n)" each
16 place it appears and inserting in lieu thereof ", (n),
17 or (p)".

18 (3) by adding at the end thereof the following:

1 “(p) The annuity of an employee who is a United States
2 magistrate is computed with respect to service as a United
3 States magistrate, and as a United States commissioner and
4 military service (not exceeding five years) creditable under
5 section 8332 of this title by multiplying 2½ percent of his
6 average annual pay by the years of that service.”.

7 SEC. 7. Section 8341 of title 5, United States Code, is
8 amended—

9 (1) in subsection (b)(1), by striking out “and (n)”
10 and inserting in lieu thereof “, (n), and (p)”; and

11 (2) in subsection (d), by striking out “and (n)” and
12 inserting in lieu thereof “(n), and (p)”.

13 SEC. 8. Section 8344(a)(A) of title 5, United States
14 Code, is amended by striking out “and (n)” and inserting in
15 lieu thereof “(n), and (p)”.

16 SEC. 9. This Act and the amendments made by this Act
17 shall become effective on the date of enactment and shall
18 apply to United States magistrates who retire on or after
19 such date.

20 SEC. 10. The amendments made to the retirement pro-
21 visions by this Act shall not be construed to be a “new gov-
22 ernment retirement system” for purposes of the Federal Em-
23 ployees Retirement Contribution Temporary Adjustment Act
24 of 1983 (Public Law 98-168).

Senator McCONNELL. I thank the Senator from Alabama, especially for his kind remarks about me, and I think at this point we will move forward with the hearing, and hear from Mr. Macklin, the Deputy Director of the Administrative Office of the U.S. Courts.

STATEMENTS OF JAMES E. MACKLIN, JR., DEPUTY DIRECTOR, ADMINISTRATIVE OFFICE OF THE U.S. COURTS, ACCOMPANIED BY DUANE LEE, CHIEF, MAGISTRATES DIVISION; AND DANIEL CAVAN, DEPUTY LEGISLATIVE AFFAIRS OFFICER

Mr. MACKLIN. Thank you, Mr. Chairman. Senator Heflin. I am James E. Macklin, Jr., Deputy Director, Administrative Office of the U.S. Courts. I am accompanied today by Duane Lee who is the chief of our Magistrates Division, and Dan Cavan, our Deputy Legislative Affairs Officer. They will be able to assist me and answer any questions you may have.

I appreciate the opportunity to testify today on behalf of the Judicial Conference. Judge Otto Scopil, who is the chairman of our Magistrates Committee of the Judicial Conference, would normally testify. Unfortunately, he has a caseload that he cannot avoid, and thus, was unable to attend.

He did ask, however, that I request that you keep the record open, at least temporarily, long enough for him to provide a letter for the record. He will do that very shortly.

Senator McCONNELL. We will do that.

Mr. MACKLIN. In the meantime, I have a prepared statement which I would ask that you have inserted in the record at this time. Thereafter, I will summarize a few remarks from the contents of the statement.

Senator McCONNELL. We will include your full statement in. Go ahead to your summary.

Mr. MACKLIN. The magistrates system, which was established in 1968, has in fact been a boon to the judiciary. The magistrates have taken on more and more workload since 1968. At the same time, of course, the workload of the courts has increased dramatically. Without the magistrates, the judiciary would have floundered.

The Judicial Conference, in addressing the question of finding the best qualified people for the job of magistrate, has itself addressed the question of retirement.

S. 2529, which we are addressing today, does the same, although it is a bill which the Judicial Conference itself has not had the opportunity to address. The Conference meets only twice yearly, as does each of its committees. As a consequence, they are able to consider legislation only twice a year. This bill was introduced in the early part of June, and thus they have not addressed this bill. The Conference, however, does believe that there is a benefit in an improved retirement system for the magistrates. It is the desire of the Conference, of course, to get the best qualified people they can, and to retain them for as long as they can. S. 2529 addresses that question also by providing better benefits, retirement benefits, for those magistrates who have been on our rolls prior to January 1984.

S. 2529 also addresses another question which the Judicial Conference has considered, and that is the ability to recall retired mag-

istrates to serve the courts. S. 2529 does that also. I might point out here, however, that S. 2529 does require Judicial Conference approval to recall a magistrate. As I mentioned, the Conference only meets twice a year. It might be advisable to place the recall power in some body that meets more often than that, for example, the judicial councils of the circuits.

S. 2529 would provide parity for magistrates' retirement with that of the retirement of bankruptcy judges, which is another point which the Judicial Conference has approved. That is, parity in all such matters between magistrates and bankruptcy judges. I should point out one aspect of the bill, that is perhaps an omission. There is another class of judicial officers—not article III judges—that is not covered by this bill nor by present law, and that is the judges of the U.S. Claims Court. They might be coupled here along with magistrates and bankruptcy judges, with this particular retirement procedure.

As I mentioned in my statement, the Judicial Conference of the United States has endorsed a much broader system of retirement for magistrates, bankruptcy judges, and judges of the claims court, based on a system that is now in place for the territorial judges. It is hoped that some day, that particular proposal will be adopted by the Congress, but that proposal is not now before your subcommittee. I refer to it only to point out that the Judicial Conference has recognized the problems that S. 2529 addresses. I am certain that S. 2529 will help to alleviate the problems that the Conference foresees, and therefore, I am sure the Judicial Conference would welcome passage of this bill.

I now would be happy to attempt to address any questions that any of you may have.

Senator McCONNELL. Mr. Macklin, could you comment further on the advantages of providing for recall of magistrates, and evaluate from the perspective of the Administrative Office, the success of the recall provision for bankruptcy and claims court judges.

Mr. MACKLIN. There are constantly increasing caseloads, particularly in the criminal area at the moment. Some courts must confront an unexpected increase in caseloads before a magistrate, under the regular procedures, could be, first, approved by the Judicial Conference, and second, funded by the Congress. The ability to recall a magistrate would take up the slack in this particular area and provide us with the services needed while we wait for a magistrate to be approved through the regular course.

STATEMENT OF DANIEL CAVAN

Mr. CAVAN. Senator, the recall provisions also provide a certain transition safeguard. When a magistrate has been on the bench for many years and is ready to step down and retire, he is not necessarily ready to give up 100 percent of the caseload. This is the case with our senior district judges.

This provision would enable the magistrate to assume a reduced caseload during the period that a successor is selected and appointed, gets on the bench, and through our Federal Judicial Center, receives training and works up to speed in terms of being able to handle a full caseload, as efficiently and quickly as his predecessor

did after 15 years of experience. In addition, we would have temporary situations such as serious illnesses, or unexpected deaths of magistrates, where today we would have to draw an active magistrate from a busy district to fill in to cover that emergency situation. The ability of having magistrates in retired status, who are eligible for recall to fill in in these types of emergencies, would also be very helpful.

Senator McCONNELL. Anyone else want to make any further observations?

STATEMENT OF DUANE LEE

Mr. LEE. Senator, I would also add that the Magistrates Act set up procedures for the merit selection of magistrates, and under the conference regulations adopted pursuant to that statutory requirement, we frequently have delays of 6 months to a year in filling a magistrate position. Where we have a resignation, death, or retirement that is unexpected, we frequently have long periods of vacancies. It would be extremely helpful to have a provision to recall a magistrate to fill in for that period of emergency.

Senator McCONNELL. I am certain the Administrative Office is concerned about the growth of litigation in our Federal court system. What positive impact do you believe we could anticipate if Federal judges have high caliber magistrates to assist in handling the increasing caseload?

Mr. MACKLIN. I am going to ask Duane Lee if he might address that. He works most closely with the magistrates.

Mr. LEE. Yes. If I can ask you to repeat the question. I did not catch it.

Senator McCONNELL. The question was: I am certain that AO is concerned about the growth of litigation in our Federal courts. What positive impact do you believe we could anticipate if Federal judges have high caliber magistrates to assist in handling the increasing caseload?

Mr. LEE. Well, I think what we will see is more of what we have now—and what I am giving you after 10 years in the Magistrates Division is impressionistic rather than statistics—but I think the caliber of magistrates has increased every year, and nearly with every appointment. What we are finding is that this has caused a great increase in the confidence judges have in magistrates. They are referring more and more civil work, additional duties, much more involvement in the judges' caseloads.

This means that judges are able to try more and more cases and to move them along. I think the higher caliber of magistrates makes it possible for this to be done. If our magistrates were not of the caliber that judges really had confidence in their handling the delegated work, I do not think we would see the magistrates used very much. I do not think that the system would work.

Senator McCONNELL. Do you fellows have any statistics about the increase in caseload by category, in recent years in the Federal courts?

Mr. MACKLIN. Yes. We do have those. I do not think they are in the statement, but we can provide them for the record.

Senator McCONNELL. I have been in a number of spirited discussions with a variety of members of the bar on the subject of whether or not we are in fact an increasingly litigious society, and some would seem to deny that. And I am just wondering what your observations are about that, at least in Federal courts, whether litigation is in fact on the upswing, and which categories seem to be most prevalent in the upswing?

Mr. MACKLIN. Well, litigation over the past 10 years is certainly on the upswing. There are periodically areas where we find more of one type of case than another. For example, in recent years, Social Security cases have burgeoned. The same is true of attempts on the part of the Justice Department to collect debts of veterans, for example.

In the criminal field there has been an increase in drug cases. But we can provide you, if you would like to have it, a table that will show you these increases in particular fields.

Senator McCONNELL. I certainly would like to have that, and we will not delay the hearing by going any further with it. I am interested in whatever statistical data you have got in that particular area.

Finally, have you had an opportunity to evaluate the new Federal employees' retirement system as it relates to magistrates, and if so, could you comment on that system.

Mr. MACKLIN. No, sir, we have not. As you probably know, the legislation is rather lengthy. The legislation does, of course, apply to magistrates who were employed subsequent to January 1, 1984. They are not covered under this legislation, S. 2529. We are hopeful, of course, that the new retirement provisions will in fact turn out to be a healthy thing, and will be of help to the magistrates system but we do not know that as yet.

The Office of Personnel Management is still putting together its implementation of that law. I have read it through once. I have not read it any more than that. I do not know yet how it is going to affect our magistrates system.

Senator McCONNELL. I would like to call now on the distinguished Senator from Alabama.

Senator HEFLIN. What are the salaries of each of the groups—annual salaries of bankruptcy judges, magistrates, and your Court of Claims judges?

Mr. MACKLIN. The bankruptcy judges and the magistrates both make \$68,400 per year. That is the full-time magistrates. There are part-time magistrates also, though, that receive lesser amounts.

Senator HEFLIN. What about the Court of Claims?

Mr. MACKLIN. The Court of Claims is 68,700 is it not?

Mr. CAVAN. I believe so.

Mr. MACKLIN. I think it is 68,700, sir.

Senator HEFLIN. 68,700?

Mr. MACKLIN. Seven hundred, yes, sir.

Senator HEFLIN. Now you mentioned in this bill that this recall provision by which the Judicial Conference would make, or would approve the recall, and you pointed out the fact that it met twice a year, and there might be some problems about it.

What alternative measures of approval, of recall, are available for consideration, other than the Judicial Conference, as is in the bill?

Mr. MACKLIN. Each circuit court of appeals has a circuit council. That circuit council meets at varying times, but is capable of meeting at almost any time, without a great deal of expense to the Government.

That circuit council is responsible for the business of the courts within the circuit, and therefore, it seems to me, would be a logical place to put the approval power.

Senator HEFLIN. Now, that circuit council, give us its composition.

Mr. MACKLIN. The composition varies from circuit to circuit. The recent revision of that particular provision of title 28 authorizes a circuit either to select all, or a certain number less than all, of the circuit judges, plus a representative number of district judges from without the circuit. But the composition varies from circuit to circuit.

Senator HEFLIN. Now, if a judge left it within the district—naturally, you would have to have some provision other than just a district judge saying, I want to recall Magistrate X—but you have the potential needing of the chief judge's approval, or you have a vote of the district judges as a potential. Or if you had that as the approval mechanism, or, the guidelines that could be established, that would protect against any abuse that might occur.

Mr. MACKLIN. Well, certainly, the Judicial Conference could perfect guidelines with the assistance of its Magistrates Committee, and the active judges of a given district court, following those guidelines, I am sure could determine to recall for that particular court. I think that could be done. Yes, sir.

Senator HEFLIN. You think guidelines could be established that could prevent the danger that might arise when somebody wants to take off, or do something else, so he would call the magistrate, or something of that sort. You know, I am not saying that that occurs much, but there probably are a few isolated cases like that, and they do not want to turn down one of their fellow judges. They are not going to spend the time at the Judicial Conference on recall. They are going to refer it to the judicial circuit council, and whatever their recommendation is, they are going to follow it, I mean, from a practical and pragmatic viewpoint, is the way it would work out.

Well, let me ask you this: You have indicated, of course, that the Judicial Conference has proposed in the past a more comprehensive retirement proposal for bankruptcy judges, magistrates, and the Claims Court judges.

Would you elaborate a little bit on that, and how that differs from this bill?

Mr. MACKLIN. Yes, sir. Very briefly, it is a system which would permit the retirement of magistrates and bankruptcy judges after a period of 8 years. At the end of 8 years retirement would vest. At the end of 14 years, the maximum retirement would have been reached. I think I will ask Dan Cavan here, who is with our legislative affairs office, to give you a little bit more of the detail, though.

Mr. CAVAN. The proposal of the Judicial Conference, that they have endorsed in the past, is based on existing law, retirement coverage in section 373 of title 28, for territorial district judges. We would propose that full retirement annuity, equal to the salary of office, would be available after 14 years. After 8 years, these judicial officers would be eligible for a proportion of the salary of office, based on the years of service, divided by 14. After 5 years of service, they would be eligible for a similar annuity on a disability basis. We would cover over problems of survivors of these officers by including magistrates, bankruptcy judges, and Claims Court judges, in the judicial survivors' annuity system that is now included in section 376 of title 28.

We would expect that we would have, through this process, a pool of retired judicial officers eligible to come back and serve us in recalled status, just as we are talking about today for magistrates, without having to work through with the Civil Service Retirement System, calculate how much of an annuity they have now, how much of an additional payment might be appropriate compensation.

Senator HEFLIN. At the present time, are the magistrates in the Social Security System?

Mr. CAVAN. Yes, they are.

Mr. MACKLIN. Yes, sir.

Senator HEFLIN. That is all.

Senator McCONNELL. Thank you, Senator Heflin. Thank you, gentlemen.

[Mr. Macklin's submissions for the record follow:]

PREPARED STATEMENT
OF
JAMES E. MACKLIN, JR.
DEPUTY DIRECTOR
ADMINISTRATIVE OFFICE
OF THE
UNITED STATES COURTS

ON BEHALF OF THE

JUDICIAL CONFERENCE
OF THE UNITED STATES

BEFORE THE

SUBCOMMITTEE ON COURTS
OF THE
SENATE COMMITTEE ON THE JUDICIARY

ON

THE RECALL AND RETIREMENT OF
UNITED STATES MAGISTRATES

S. 2529

JULY 25, 1986

Mr. Chairman, my name is James E. Macklin, Jr. I am the Deputy Director of the Administrative Office of the United States Courts, and I am here today to present comments on behalf of the Judicial Conference of the United States on S. 2529, a bill to provide for the recall of retired United States magistrates and to provide magistrates with a retirement system equal to that now provided bankruptcy judges.

Let me begin by expressing our appreciation of your willingness to conduct these hearings on this important issue. The Judiciary appreciates the attention and the support that we have received from this Subcommittee and, indeed, from the full Senate Judiciary Committee in responding to our requests for resources and improvements for the Federal Judiciary. The bill before you today, S. 2529, is another example of that attention and support. We look forward to working with you as you assume the chairmanship of this Subcommittee on this and other issues affecting the courts.

Office of United States Magistrate

A brief review of the office of United States magistrate and the important duties that these officers perform in assisting the district courts in the disposition of cases may assist you in considering this legislation. A United States magistrate is a judicial officer of the United States district court who is appointed by the judges of the court. At the present time there are 273 full-time magistrate positions and 187 part-time magistrate positions authorized by the Judicial Conference and funded by the Congress. A full-time magistrate is appointed for a term of eight years, and a part-time magistrate serves for a term of four years. The office was established by the Federal Magistrates Act of 1968 and was built on the foundation of the former United States commissioner system. Commissioners had been authorized to try petty offense cases arising on federal property, to issue search and arrest warrants, to set bail, and to conduct other initial proceedings in criminal cases. The Federal Magistrates Act created a new position that would assume all the duties of the former commissioners and also be authorized to assume a wide range of judicial duties to assist district judges in the disposition of the growing caseloads in the district courts.

The jurisdiction which a United States magistrate exercises is the jurisdiction of the district court itself, delegated to the magistrate by the judges of the court under statutory procedures. In 1976, Congress amended the Magistrates Act to authorize a district judge to designate a magistrate to handle virtually any pretrial matter in the district court. The Magistrates Act was again amended in 1979 to authorize magistrates to exercise case-dispositive jurisdiction, including jury trials, over any civil case, upon consent of the parties. The amendments also expanded the authority of magistrates to handle all misdemeanor cases, with or without a jury.

Today, a magistrate's duties generally fall into four broad categories —

1. Initial proceedings in criminal cases.
2. Trial of misdemeanors, upon the defendant's consent.
3. Conduct of pretrial proceedings in civil and criminal cases.
4. Trial of civil cases, upon the parties consent.

In addition to handling the four specific categories of judicial duties above, a magistrate may be assigned any "additional duties as are not inconsistent with the Constitution and laws of the United States." During the year ended June 30, 1985, magistrates conducted over 120,000 preliminary proceedings in felony cases; handled more than 170,000 references in civil and criminal pretrial matters; reviewed more than 14,000 social security appeals and more than 20,000 prisoner filings; and tried more than 90,000 misdemeanors and more than 3,700 civil cases. A detailed statistical summary of the nature and volume of the work performed by magistrates during the year ended June 30, 1985 is included on the next page. More detailed tables reflecting the magistrates' activities are attached to this statement.

Table 18
U.S. District Courts
Matters Disposed of by U.S. Magistrates
During the Twelve Month Periods Ended June 30, 1973, 1977, and 1980 through 1985

Activity	1973	1977	1980	1981	1982	1983	1984	1985	Percent Change 1985/1980
Writ Jurisdiction Cases	73,061	107,061	98,493	98,193	98,735	93,343	94,673	90,747	7.4
Misdemeanors Other Than Party Offenses	6,197	37,191	13,833	14,390	13,899	14,884	13,974	13,779	21.3
Party Offenses	88,819	69,869	77,790	88,844	75,146	79,459	77,199	76,979	3.3
Probationary Proceedings	131,333	106,877	97,831	98,359	98,656	105,656	106,237	100,143	9.9
Search Warrants	1,539	5,293	4,794	5,643	6,179	6,593	7,973	9,776	32.6
Arrest Warrants	30,553	96,467	11,275	11,554	11,795	13,219	13,491	13,176	8.3
Initial Appearance	98,990	69,960	81,913	83,181	81,344	86,513	85,469	86,513	16.2
Material Witnesses	"	5,139	6,731	6,955	6,813	6,993	4,740	3,866	-12.4
NOI Reviews	"	7,975	6,659	6,319	6,301	6,669	6,579	6,301	-6.2
Preliminary Examinations	8,394	8,491	8,966	8,370	6,850	6,891	6,934	6,972	1.4
Grand Jury Returns	"	681	5,381	5,939	5,961	5,179	5,658	5,816	10.1
Arraignments	18,799	31,799	17,512	18,951	21,396	20,995	23,646	24,935	9.0
Other	"	"	1,841	3,139	4,999	4,814	6,810	11,185	37.3
Additional Duties	33,918	74,576	192,718	121,713	127,928	194,390	175,810	204,544	14.4
Criminal	11,837	17,084	19,843	20,241	20,282	20,236	20,260	21,324	8.9
Motions (A)	8,978	7,891	11,232	10,347	17,199	16,991	20,357	21,649	9.6
Motions (B)	"	"	1,485	3,101	3,370	3,339	3,197	2,098	-2.8
(Benchmark Hearings)	"	"	(718)	(837)	(971)	(918)	(997)	(1,148)	(14.9)
Pretrial Conferences	3,270	4,787	8,433	8,199	8,314	8,599	8,900	9,837	-2.2
Chambers Calls	"	"	867	864	917	790	946	1,142	10.1
Other	586	8,999	8,365	5,560	5,793	8,777	8,995	5,776	3.1
Civil	19,995	48,176	71,497	61,857	64,394	117,711	121,082	102,707	16.0
Pretrial Conferences	1,164	22,787	22,531	23,199	23,314	29,899	33,707	36,695	10.5
Motions (A)	6,977	17,688	36,899	43,891	51,875	65,742	73,234	84,559	16.7
Motions (B)	"	"	6,810	7,814	6,190	7,971	8,401	8,968	8.9
(Benchmark Hearings)	"	"	(977)	(959)	(998)	(983)	(1,097)	(1,294)	(11.9)
Social Security	334	3,449	6,313	4,191	4,532	6,899	10,234	14,101	33.9
Special Master	334	946	975	964	989	945	999	964	14.2
Calendar Calls	"	"	976	613	1,174	913	867	1,099	33.3
Other	1,780	3,794	1,792	5,939	1,839	7,139	7,361	8,521	12.7
Prisoner Litigation	6,798	6,813	13,379	14,817	16,551	18,943	18,157	20,233	11.4
State Habeas	"	4,399	4,334	5,913	5,960	6,832	6,430	6,172	13.2
Federal Habeas	"	1,839	1,756	1,894	2,113	2,360	2,245	2,390	-2.3
Civil Rights	"	5,779	6,969	7,459	8,478	10,161	10,262	11,773	13.6
(Benchmark Hearings)	"	"	(773)	(778)	(1,193)	(1,098)	(1,348)	(1,133)	(6.4)
CMS Consent Cases	"	"	"	1,833	3,433	3,127	3,646	3,717	4.4
Writout Trial	"	"	"	1,927	1,837	2,337	2,897	3,914	8.4
Jury Trial	"	893 ¹	189	181	391	397	389	398	1.5
Non-Jury Trial	"	"	655	655	693	893	946	495	-41.0

¹ Not separately reported.

² Not included in totals.

³ Includes both jury and non-jury trials.

Excerpted from the 1985 Annual Report of the Director, published by the Administrative Office of the United States Courts

Magistrates now render essential services to the district courts. District judges' caseloads have increased dramatically since magistrates were first appointed in 1970. More judges have been needed to handle these cases, and the Congress has responded by authorizing the additional judgeships that the Judicial Conference has requested. Those requests clearly would have been greater if the district judges did not have the assistance of magistrates. In 1970, just before magistrates began to be appointed, an omnibus judgeship bill was enacted providing for 63 additional district judgeships that were very much needed. During the year ended June 30, 1971, the 401 authorized district judge positions (including territorial judges and temporary positions) had an average total caseload of 341 civil and criminal cases (307 on a weighted caseload basis) and terminated an average of 315 cases. Last year the number of authorized district judgeships had grown to 575, and during the year ended June 30, 1985, each of these positions had an average caseload of 520 civil and criminal cases (453 on a weighted basis) and terminated an average of 511 cases. The presence of magistrates assisting the district judges is one of the reasons that the Federal district courts have been able to cope with the rising caseloads we have experienced since 1970 and improve their productivity so dramatically.

In addition to increasing the magistrates' authority, the 1979 amendments also provided rigorous standards for the selection and appointment of magistrates. Those requirements include public notice of all vacancies, a minimum requirement for appointment of five years' membership in a bar, and merit selection panels to screen candidates. The 1979 amendments also required the Judicial conference to conduct a study of the magistrates system and report on that study to the Congress. Copies of a pamphlet describing the selection and appointment process and of the report submitted to the Congress in 1981 have been provided to the staff for the use of the Subcommittee. These materials more fully discuss the office of United States magistrate and may help answer some of your questions about the system.

Backgrounds of Magistrates

One of the issues raised in the 1981 report was the need to improve the retirement system for magistrates. The 1981 report established the factual background for that recommendation at page 29 in discussing the age and professional backgrounds of the 200 full-time magistrates who were then serving:

As of June 30, 1981, the average age of sitting full-time magistrates was 47.7 years. At the time of their original appointment, the average age of full-time magistrates had been 42.4 years. The average full-time magistrate had been a graduate of a law school for 16 years at the time of initial appointment.

The professional experience of most full-time magistrates prior to appointment had been diverse, as most magistrates had held several posi-

tions before entering federal service. Most prominent among the former vocations of full-time magistrates were the following: private practice of law (80%); United States attorney or assistant United States attorney (39%); law clerk to a judge (34%); state or local prosecutor (25%); United States commissioner (14%); and part-time United States magistrate (13%). In addition, 19% of the full-time magistrates had held position in private industry, 9% had been law professors, 7% had served at one time as clerks of court, and 6% had been state judges.

The situation described in the 1981 report has not changed significantly. The average age of all presently sitting full-time magistrates at the time of their original appointment was 43. Among the 38 new full-time magistrates appointed during the last twelve months, the average age was 41, and they had been a member of a bar for an average of 14 years. The principal professional experience of these new magistrates included private practice (16); part-time magistrate (8); assistant United States attorney (7); attorney for another Government agency (5); law professor (1); and attorney for a State legal aid society (1).

Considerations Related to Retirement

Before turning to the specific elements of S. 2529, let me suggest a few background matters that the Members of the Subcommittee may want to have in mind when reviewing the retirement aspects of this bill.

1. As the background data above suggest, the average full-time magistrate is first appointed to office in the early to mid forties. That is a much later stage in life than the typical federal career employee. Many of the magistrates come to their positions with little or no prior Government service. Thus, most magistrates do not have the opportunity to accumulate the number of years of service that a career employee gathers. The shorter period of service results in a lesser annuity when they are both included under the same retirement system.

2. Magistrates, and particularly full-time magistrates, come to office after considerable years of professional experience. The pool from which the district judges are attempting to recruit new magistrates is a group of attorneys who are near the peak of their earnings potential in the private sector. While the current salary of a magistrate compares favorably with many other Government positions, it is not a very attractive inducement to this pool of candidates. The current retirement situation for magistrates compounds the financial sacrifice of taking the position. Many individuals who would be excellent candidates simply cannot make that sacrifice.

3. The Judicial Conference of the United States has proposed a sweeping change in existing retirement provisions to bring magistrates, bankruptcy judges, and judges of the Claims Court into a separate system similar to that already provided territorial judges under section 373 of title 28, United States Code. A copy of that proposal is attached to this statement for your information. It is not before the Subcommittee

today. I refer to it only to make the point of the Conference's sincere interest in the subject.

4. Standard 1.23(a) of the American Bar Associations Standards of Judicial Administration Relating to Court Organization (1974) recommends a model retirement system:

A pension system should provide at least three-quarters salary upon retirement at age 70 with ten years or more of judicial service, and for pensions of lesser amount at age 70 for shorter periods of service. Pensions should be based on current judicial salaries, so that they increase in direct proportion to future increases in salaries. If such pensions are not automatically provided for, provision should be made for periodic adjustment to compensate for the effects of inflation.

5. Standard 1.24 of the American Bar Associations Standards of Judicial Administration Relating to Court Organization (1974) includes the following recommendation: "A judge who is retired . . . and who is fully able to perform the duties of an active judge should be eligible for call, with his consent, for active service in such assignment as the chief justice may specify."

Provisions of S. 2529

The first two sections of the bill before you today, S. 2529, take an important first step by authorizing the courts to recall magistrates who have retired. We now have that authority for bankruptcy judges and judges of the Claims Court. In fact, the general retirement laws permit retired Government employees to become re-employed by the Government. Having this authority will enhance the courts' ability to cope with unusual caseload burdens arising in particularized situations and also to meet the demands of increasing caseloads initially without having to establish new active service magistrate positions as quickly as we now must. We will be better able to establish even more carefully than we now do that the increased workload in a particular district will continue over the long-term and that, once established, any new magistrate position will continue to be justified throughout the term of office. In addition, we know that taking judicial office is a significant change from prior experiences. Generally, it takes several years for a new judge or magistrate to become fully "up to speed" in handling a full docket. At the other end of a judicial career, we may well find judges and magistrates who are no longer fully physically capable of handling a complete docket. Allowing an older judge or magistrate to retire and to be subject to recall can ease the process of transition in the office, and ensure that litigants do not face additional delays during the transition period.

The remainder of the bill makes amendments to the Civil Service Retirement System contained in chapter 83 of title 5 of the United States Code. These amendments establish parity for magistrates with the treatment of bankruptcy judges under the Civil Service Retirement System. The Judicial Conference has long supported the general

concept that these offices should receive comparable treatment. We might also suggest that the judges of the United States Claims Court also be included in this treatment, as their position as non-article III officers of the Federal Judiciary who are empowered to hear and decide cases is also comparable to that of magistrates and bankruptcy judges.

Under this proposal each year of service as a magistrate would be credited at the rate of 2.5 % in the calculation of a retirement annuity. That means that the annuity will accumulate more rapidly than for most civil service employees. We view this enhanced retirement calculation as an important element in establishing the corps of retired magistrates eligible to be recalled which is the purpose of the first part of this bill.

Magistrates generally are not appointed to office until their mid-forties, unlike the average civil servant who enters the Government at a much earlier age. For a magistrate to serve 25 to 30 years to accumulate a sufficient retirement income would mean that the average magistrate would be 70 to 75 years old at the time of retirement. Obviously, the average individual at that time of life will not be available for extensive service on a recalled basis. By enhancing the retirement calculation, this legislation will make it feasible for magistrates to retire, on the average, at an age closer to 65 and thus to provide a greater amount of service on a recalled basis.

Comments

The Judicial Conference of the United States meets only twice a year and obviously has not reviewed the specifics of this bill. However, the Conference has endorsed improvement of existing retirement provisions for magistrates, bankruptcy judges, and judges of the Claims Court for three basic reasons. First, as a matter of fundamental equity, these officers should have the opportunity to accumulate credit for a meaningful retirement income comparable to the amount typical career civil servants are able to accumulate. Second, an improved retirement system would enhance the courts' ability to recruit well-qualified attorneys at the peak of their earnings expectations in the private sector, and to retain these individuals in office in the face of the competing financial attractions of private practice. Third, and perhaps most importantly, we need some means of providing a truly viable system of experienced retired magistrates and judges eligible for recall to serve as magistrates and judges in districts with particularly heavy caseloads, if we are going to address successfully the need to create new positions in reaction to the initial impact of caseload increases.

The Judicial Conference of the United States has recognized the problem that S. 2529 addresses. S. 2529 is a modest proposal compared with other changes that the Judicial Conference has suggested and the recommendations of the American Bar Association in its Court Organization standards. At the same time, the bill would be a sub-

stantial improvement over current law. Accordingly, I believe that the Judicial Conference would welcome passage of this bill.

There are three other points that I wish to make:

1. Under the bill, the Judicial Conference is authorized to recall retired magistrates. Claims Court judges may be recalled by the Chief Judge of that court and bankruptcy judges may be recalled by the judicial council of the circuit. The Judicial Conference of the United States meets only twice a year and would clearly have to delegate any authority to recall magistrates, perhaps to a Committee of the Conference. I would suggest that a more local entity, such as the circuit judicial council, would be in a better position to determine the need and advisability of recalling a magistrate.

2. Current law prohibits the continued service of a magistrate after age 70 except by the unanimous vote of the judges of the district court. S. 2529 amends that provision to allow for recall of a magistrate after age 70. The Judicial Conference has separately recommended that the regular service of a magistrate after age 70 should be allowed upon a majority vote of the district judges, subject to annual review. The unanimity requirement of current law may force capable magistrates into retirement earlier than they would otherwise choose or the majority of the district judges would want. Since the bill amends this same section, I would respectfully request that you consider including this recommendation in the bill.

3. The bill now amends only the Civil Service Retirement System contained in chapter 83 of title 5, United States Code. No changes are made in the new Federal Employees Retirement System contained in chapter 84 of title 5, which was enacted only last month. The recall provisions of the bill would apply to all magistrates. However, since the Civil Service Retirement System applies only to magistrates appointed before 1984, the enhanced retirement credit does not apply to newly appointed magistrates. Newly appointed bankruptcy judges are in the same situation. The new federal Employees Retirement System is a dramatic departure from the Civil Service Retirement System. I doubt that anybody fully understands all the ramifications of the new system and particularly the thrift savings plan under subchapter III. Accordingly, it is particularly difficult today to suggest what amendments to the new plan might provide retirement benefits comparable to those provided in S. 2529 for newly appointed magistrates and bankruptcy judges. We are continuing to study the new retirement plan and will be pleased to work with you and the staff and developing appropriate legislative proposals on this aspect of the problem.

4. Costs are difficult to project on this legislation. In part that is because the Administrative Office does not maintain detailed records on all former Government service which magistrates may have. In addition, since there are only a limited number

of magistrates, the system is only 15 years old, and the decision to retire is a voluntary decision, it is difficult to project when magistrates can be expected to retire and the consequent costs in enhanced benefits, without risk of a substantial percentage fluctuation. Finally, we expect that this bill would change the retirement expectations that we would otherwise experience — more magistrates will retire earlier than they otherwise would — and therefore the limited past experience in retirement rates may not be a very useful base for projecting the costs of the enhanced retirement credit. We have begun to calculate what the costs may be, and we will continue to do so. At present, however, the only material on the potential costs of this bill is a chart showing the impact of the enhanced retirement credit on the 20 bankruptcy judges who retired in calendar year 1985. That chart is attached and indicates that the cost of the enhanced credit for new retirees in that one year was about \$150,000.

Conclusion

Mr. Chairman, the stated objectives of S. 2529 are to provide a system for the recall of retired magistrates and to provide magistrates with a retirement system equal to that now provided bankruptcy judges. The Judicial Conference of the United States would endorse those objectives, and S. 2529 does achieve those objectives. Accordingly, we can support the enactment of this legislation.

ATTACHMENT A

TABLE N-1 U.S. DISTRICT COURTS, MISDEMEANOR CASES:
DEFENDANTS DISPOSED OF BY U.S. MAGISTRATES BY NATURE OF OFFENSE
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1985

CIRCUIT AND DISTRICT	TOTAL ALL DEFEND-ANTS	(DISBURSEMENTS OTHER THAN PETTY OFFENSES)									
		TOTAL	TRAFFIC	THEFT	POSS/ DRUG	WEAPONS	TRNS-PASS	NAIL	ASSAULT	FRAUD	OTHER
TOTAL...	96,757	13,779	7,919	1,502	1,203	83	129	205	143	857	1,744
DC.....	186	99	-	21	9	5	1	1	-	8	10
1ST....	978	98	9	10	4	-	-	6	-	15	58
PE.....	33	9	4	-	-	-	-	-	-	-	1
PA.....	517	40	1	8	3	-	-	5	-	15	8
BP.....	9	-	-	-	-	-	-	-	-	-	-
PI.....	32	1	-	-	-	-	-	1	-	-	-
PR.....	387	52	-	2	1	-	-	-	-	-	49
2ND....	2,677	339	22	100	35	-	1	48	6	78	45
CT.....	16	19	2	1	11	-	-	-	1	-	-
BT.....	635	64	20	14	10	-	-	2	1	9	7
BT.....	536	107	-	43	3	-	-	32	2	20	7
BT.....	1,395	112	-	33	7	-	-	14	1	39	18
BT.....	75	83	-	9	6	-	-	-	-	10	10
VI.....	30	4	-	-	-	-	-	-	1	-	2
3RD....	2,719	315	3	60	43	-	2	11	7	140	49
CE.....	89	27	-	10	15	-	-	-	1	-	1
PA.....	1,880	249	-	40	23	-	2	10	6	133	53
PA.....	221	18	1	4	1	-	-	1	-	2	7
PA.....	404	14	-	3	2	-	-	-	-	-	-
PI.....	111	7	2	1	-	-	-	-	-	3	1
PI.....	6	-	-	1	-	-	-	-	-	-	-
4TH....	18,131	9,111	1,709	456	654	25	18	9	43	59	338
PC.....	6,367	536	231	90	109	4	5	2	11	12	72
MC.....	2,732	560	342	36	121	2	-	-	12	4	42
DC.....	39	15	-	4	-	-	-	-	-	4	7
DC.....	347	34	4	1	15	-	-	-	-	4	9
S.....	14	54	-	1	-	-	-	-	-	5	14
VI.....	7,415	1,901	1,131	323	200	18	13	2	18	28	160
VI.....	261	9	1	1	-	-	-	1	1	2	2
VI.....	-	-	-	-	-	-	-	-	-	-	2
VI.....	56	3	-	-	1	-	-	-	-	-	2
5TH....	13,970	814	57	77	180	11	9	10	3	62	425
LA.....	355	-	-	-	-	-	-	-	-	-	-
LA.....	51	9	-	1	-	-	-	-	-	3	1
LA.....	952	15	-	9	-	-	-	-	-	2	8
PS.....	239	7	-	9	2	-	-	-	-	-	-
PS.....	530	29	11	1	2	5	-	-	1	3	8
TS.....	580	12	-	3	2	-	1	-	1	-	5
TS.....	2,494	499	24	12	125	7	-	3	1	35	27
TS.....	8,566	282	2	50	49	1	8	7	-	19	145
6TH....	6,842	418	98	110	57	6	5	11	9	52	73
BT.....	176	1	-	77	23	-	-	-	-	-	20
BT.....	5,515	184	30	7	23	4	3	-	1	6	1
PI.....	134	93	2	2	4	-	-	5	1	11	6
PI.....	64	41	-	19	10	-	-	-	1	9	11
CH.....	50	10	-	-	12	1	-	3	-	3	3
CH.....	131	36	-	12	11	1	-	1	1	3	14
TS.....	821	31	-	2	-	1	2	-	1	11	14
TS.....	303	100	63	8	5	-	-	2	-	7	15
TS.....	66	2	-	-	-	-	-	-	-	2	-

TABLE M-1 U.S. DISTRICT COURTS, MISDEMEANOR CASES:
 DEFENDANTS DISPOSED OF BY U.S. MAGISTRATES BY NATURE OF OFFENSE
 DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1995

CIRCUIT AND DISTRICT	TOTAL ALL DEFEND- ANTS	(MISDEMEANORS OTHER THAN PETTY OFFENSES)									
		TOTAL	TRAFFIC	THEFT	FOOD/ DRUG	WEAPONS	TRES- PASS	MAIL	ASSAULT	FRAUD	OTHER
7TH...	2,064	199	99	40	29	2	2	11	6	21	29
IL.M....	1,082	99	2	12	-	-	-	6	3	11	7
IL.C....	365	38	29	1	-	-	-	2	-	9	6
IL.S....	177	93	24	21	23	1	2	3	9	3	11
IN.M....	84	2	-	-	2	-	-	-	-	-	-
IN.S....	212	15	8	5	-	-	-	-	-	-	2
WI.M....	94	12	-	3	4	1	-	-	-	3	3
WI.S....	80	-	-	-	-	-	-	-	-	-	-
8TH...	1,140	174	53	14	12	2	1	6	3	33	50
AR.C....	58	20	-	2	1	-	-	-	1	-	14
AR.M....	155	14	9	3	5	1	-	-	-	1	3
IA.M....	4	1	-	-	-	-	-	-	-	1	-
IA.S....	101	6	-	-	1	-	-	1	-	4	-
PH....	156	6	-	1	2	-	-	2	-	1	-
MO.C....	225	10	-	3	-	-	-	-	-	6	1
MO.M....	220	72	48	1	1	1	-	-	2	10	9
NE....	84	19	-	-	2	-	-	2	-	4	10
ND....	43	14	-	-	-	-	-	-	-	1	3
SD....	92	8	-	2	-	-	1	1	-	-	-
9TH...	29,603	9,341	4,038	316	292	14	36	64	64	245	352
AK....	752	72	43	5	4	-	1	1	2	3	11
AL....	1,249	137	10	23	27	-	3	22	5	13	34
CA.M....	3,978	695	143	97	40	4	1	12	0	120	90
CA.C....	1,749	117	22	20	28	-	-	2	1	29	15
CA.S....	1,931	118	17	4	12	-	-	7	3	19	52
CA.S....	9,721	251	15	22	72	9	1	7	3	21	105
CO....	1,838	2,547	2,403	70	40	2	6	-	8	1	17
ID....	239	23	3	7	2	-	2	-	-	4	5
MT....	331	-	-	-	-	-	-	-	-	-	-
NE....	978	58	-	2	2	-	1	11	1	14	27
OR....	348	22	1	5	2	-	-	2	1	7	4
WA.C....	95	10	-	-	1	-	-	-	-	9	4
WA.M....	4,374	1,531	1,341	97	20	3	21	-	12	30	27
10TH...	4,759	798	344	134	94	2	27	7	11	45	86
CO....	1,377	187	47	58	3	1	14	3	-	12	14
KS....	1,659	104	34	30	8	1	4	5	4	1	17
NE....	1,149	33	13	9	5	-	-	-	1	3	2
OK....	29	20	-	-	-	-	-	-	-	-	20
OK.C....	79	5	-	1	1	-	-	-	-	2	1
OK.M....	3,901	413	290	32	41	-	4	1	3	19	21
UT....	1,224	21	-	4	-	-	2	-	-	8	4
WY....	339	3	-	-	-	-	1	-	-	-	2
11TH...	6,748	2,121	1,509	154	75	16	21	21	15	79	224
AL.M....	594	230	182	-	14	1	1	1	1	5	23
AL.S....	744	139	88	18	9	-	-	2	-	2	2
AL.S....	21	4	-	-	-	-	-	-	-	-	-
FL.M....	941	114	17	73	-	4	9	-	1	2	13
FL.S....	172	50	9	7	3	-	2	9	2	9	20
FL.S....	419	95	-	5	23	-	-	2	-	-	9
GA.M....	1,079	324	140	24	10	1	4	4	3	90	64
GA.S....	649	459	348	17	14	2	3	-	-	-	54
GA.S....	2,185	943	695	12	-	8	5	1	2	8	24

TABLE N-1A U.S. DISTRICT COURTS, MISDEMEANOR CASES:
 DEFENDANTS DISPOSED OF BY U.S. MAGISTRATES BY NATURE OF OFFENSE
 DURING THE TWELVE MONTH PERIOD ENDING JUNE 30, 1995

CIRCUIT AND DISTRICT	(PETTY OFFENSES)									
	TOTAL	TRAFFIC	INMIGRATION	FOOD/ DRUG	MAIL	DRUNK/ DISORDERLY	HUNT/ FISH/ CAMP	TRES- PASS	THEFT	OTHER
TOTAL...	76,978	52,636	9,686	733	192	2,451	3,369	1,999	734	9,184
DC.....	51	1	-	-	12	-	2	-	-	36
1ST...	880	779	32	4	2	20	14	12	2	15
PE.....	28	15	1	1	-	7	-	3	-	1
PA.....	677	445	-	1	1	9	4	7	-	8
WP.....	9	2	-	-	-	1	1	-	-	3
BJ.....	31	23	-	-	1	-	7	-	-	-
PR.....	335	294	31	2	-	1	-	2	2	3
2ND...	2,342	1,370	99	119	27	302	12	138	69	270
CT.....	1	1	-	-	-	-	-	-	-	-
NY.....	971	424	8	5	4	48	10	35	-	35
NY-E....	429	314	-	13	-	30	-	8	9	45
NY-S....	1,273	611	-	101	19	216	-	86	56	189
NY-W....	62	13	-	-	-	-	-	9	-	1
VT.....	26	3	22	-	-	-	-	-	-	1
3RD...	2,404	1,753	-	29	51	123	28	134	44	242
DE.....	62	34	-	-	1	4	8	7	4	2
MD.....	1,639	1,254	-	23	20	76	-	104	33	127
PA-E....	203	112	-	1	27	12	-	1	4	44
PA-W....	390	301	-	5	-	30	5	4	1	46
PA-S....	104	48	-	-	3	1	15	18	-	19
VI.....	8	-	-	-	-	-	-	-	-	6
4TH...	15,020	13,228	-	67	22	226	192	349	87	849
ND.....	5,491	5,473	-	2	2	95	97	93	6	176
ND-E....	2,172	1,770	-	1	-	92	7	64	47	231
ND-W....	24	6	-	-	-	3	13	-	-	2
ND-S....	313	100	-	32	7	24	35	10	15	90
SD.....	360	317	-	-	-	9	1	12	14	10
VA-E....	4,014	5,427	-	16	2	95	50	204	19	230
VA-W....	253	91	-	4	-	36	18	2	-	67
VA-S....	-	-	-	-	-	-	-	-	-	-
WV-S....	53	44	-	-	9	-	-	-	-	4
5TH...	13,156	6,989	4,538	46	12	301	1,321	151	45	273
LA-E....	395	58	-	5	3	6	263	-	2	18
LA-W....	46	1	-	-	-	-	49	-	-	-
LA-S....	939	52	17	-	-	2	806	39	1	22
MS-W....	232	189	-	8	-	13	10	2	-	14
MS-S....	509	420	-	9	-	35	5	5	10	25
TX-W....	576	337	-	6	1	24	131	16	8	58
TX-E....	80	91	-	-	-	-	12	7	-	10
TX-S....	2,135	149	1,879	10	-	10	22	6	1	46
TX-W....	8,284	5,121	2,448	8	8	291	27	78	23	80
6TH...	4,424	5,601	5	39	6	183	185	143	19	243
NY-E....	175	67	-	1	-	8	38	7	4	30
NY-W....	5,351	4,957	-	5	-	93	89	114	4	89
NY-S....	101	78	-	1	2	2	6	8	-	12
RI-W....	25	8	5	-	-	4	1	-	1	2
OH-W....	40	9	-	10	3	4	3	1	1	7
OH-S....	95	70	-	1	1	6	3	2	6	6
IN-E....	390	294	-	5	-	30	14	6	3	36
IN-W....	203	104	-	2	-	30	9	1	-	55
IN-S....	44	18	-	12	-	9	2	2	-	6

TABLE N-50 U.S. DISTRICT COURTS, MISDEMEANOR CASES:
DEFENDANTS DISPOSED OF BY U.S. MAGISTRATES BY NATURE OF OFFENSE
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1995

CIRCUIT AND DISTRICT	(PETTY OFFENSES)									
	TOTAL	TRAFFIC	IMPE- RIATION	PROB/ DRUG	RAIL	DRUNK/ DISOR- DERLY	HUNT/ FISH/ CAMP	TRES- PASS	THEFT	OTHER
VTN...	1,065	1,472	-	31	2	97	69	46	8	141
IL.M....	1,043	824	-	26	-	64	9	10	6	104
IL.C....	327	290	-	2	2	4	22	1	-	6
IL.S....	84	38	-	-	-	3	36	4	1	12
SW.M....	92	54	-	3	-	12	-	10	1	4
IN.S....	197	179	-	-	-	7	-	9	-	8
GA.C....	62	37	-	-	-	9	9	-	-	9
UL.M....	80	69	-	-	-	-	1	10	-	-
OTH....	966	586	6	8	3	45	82	75	7	154
AR.C....	38	9	-	1	-	-	24	2	1	1
AR.M....	139	63	-	5	-	12	9	7	-	41
IA.M....	5	-	-	-	-	-	4	-	-	1
IA.S....	95	69	-	-	-	3	3	8	-	12
WA....	150	103	-	-	-	13	8	-	1	21
NC.C....	219	168	-	2	-	11	4	4	5	21
NC.M....	148	143	-	1	-	3	-	-	-	1
DE....	67	10	-	-	1	-	4	47	-	3
MD....	27	3	6	-	-	-	11	-	-	5
SD....	84	14	-	-	1	2	12	7	-	48
VTN...	20,222	30,352	4,096	242	37	670	963	693	323	2,250
AR....	680	553	6	1	-	4	76	20	1	21
AZ....	1,132	239	641	23	5	43	27	9	9	116
CA.M....	3,483	2,663	-	30	9	58	68	178	41	637
CA.C....	1,852	996	1	41	-	69	217	116	25	227
CA.S....	1,793	990	6	71	3	41	115	195	168	314
CA.S....	3,470	611	4,346	52	15	41	93	68	23	63
NY....	1,201	1,196	-	-	-	32	7	25	-	30
IO....	214	83	-	-	-	-	35	4	-	94
PT....	331	157	-	-	1	29	80	27	2	35
RI....	920	684	-	12	5	65	78	16	27	88
RI....	346	52	-	3	-	3	83	33	14	156
WA.C....	85	14	-	1	-	4	40	1	-	25
WA.S....	2,843	1,976	-	8	-	61	77	69	16	616
10TH...	9,801	8,067	98	22	5	243	324	73	34	241
CO....	1,220	1,689	8	3	3	4	61	5	4	42
NE....	1,553	1,528	-	-	1	5	8	4	1	6
NP....	1,116	927	38	5	-	43	60	16	4	24
OR.M....	9	-	-	-	-	2	2	-	-	4
TX.C....	74	18	-	4	-	20	11	2	5	14
OR.M....	3,488	3,396	2	-	1	18	44	7	-	20
UT....	1,205	845	1	7	-	118	183	24	17	70
NY....	156	184	-	3	-	33	37	18	3	60
11TH...	4,647	3,093	20	126	13	361	235	227	107	470
AL.M....	346	219	11	-	-	4	9	7	-	16
AL.S....	607	375	-	-	-	-	5	-	1	28
AL.S....	15	8	-	-	1	-	5	-	-	-
FL.M....	841	419	-	20	-	97	71	130	46	67
FL.M....	122	89	-	2	-	12	1	5	-	13
FL.S....	384	210	-	-	-	34	47	-	1	70
GA.M....	755	369	8	60	11	189	37	21	8	111
GA.M....	31	2	-	-	-	-	7	13	-	4
GA.S....	1,642	1,261	-	44	1	23	95	51	48	161

TABLE W-2 U.S. DISTRICT COURTS, MISDEMEANOR CASES:
 DEFENDANTS DISPOSED OF BY U.S. MAGISTRATES BY TYPE OF DISPOSITION
 DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1981

CIRCUIT AND DISTRICT	TOTAL ALL DEFEND- ANTS	MISDEMEANORS OTHER THAN PETTY OFFENSES							PETTY OFFENSES						
		NOT CONVICTED			CONVICTED				NOT CONVICTED			CONVICTED			
		TOTAL	WITH- OUT TRIAL	COURT TRIAL	JURY TRIAL	AFTER PLEA	COURT TRIAL	JURY TRIAL	TOTAL	WITH- OUT TRIAL	COURT TRIAL	JURY TRIAL	AFTER PLEA	COURT TRIAL	JURY TRIAL
TOTAL...	90,797	33,779	2,649	479	26	9,847	728	95	76,978	20,953	4,392	10	44,990	7,218	15
EC.....	106	55	1	-	-	54	-	-	51	-	1	-	47	5	-
IST.....	978	98	24	-	-	72	2	-	880	207	98	-	663	192	-
PE.....	33	5	2	-	-	3	-	-	28	12	1	-	14	1	-
PA.....	517	60	19	-	-	10	2	-	473	45	47	-	278	109	-
AR.....	9	-	-	-	-	-	-	-	9	-	3	-	6	2	-
PI.....	32	1	-	-	-	1	-	-	31	11	4	-	9	7	-
PR.....	587	52	5	-	-	49	-	-	535	161	3	-	159	33	-
2ND.....	2,677	335	50	1	1	275	5	3	2,342	1,265	141	-	822	114	-
CT.....	16	15	5	-	-	10	-	-	1	-	-	-	1	-	-
NT.....	64	31	-	-	-	31	2	-	571	100	9	-	413	45	-
NY.....	536	107	8	-	1	93	2	3	429	189	52	-	149	60	-
NY.....	1,385	112	4	1	-	107	-	-	1,273	986	84	-	198	5	-
NY.....	75	35	-	-	-	32	1	-	42	1	-	-	38	3	-
VT.....	30	4	2	-	-	2	-	-	26	1	-	-	24	1	-
3RD.....	2,719	315	127	5	-	179	5	-	2,404	315	380	-	1,448	261	-
CT.....	89	27	9	1	-	14	3	-	62	18	5	-	32	9	-
PA.....	1,888	249	112	4	-	131	2	-	1,639	188	230	-	1,152	111	-
PA.....	221	18	3	-	-	15	-	-	203	30	19	-	117	37	-
PA.....	404	14	2	-	-	12	-	-	390	95	113	-	139	83	-
PA.....	111	7	1	-	-	6	-	-	104	47	13	-	23	21	-
VI.....	6	-	-	-	-	-	-	-	6	1	-	-	5	-	-
4TH.....	10,131	3,711	842	147	5	1,824	288	5	15,020	3,926	1,221	-	7,443	2,430	-
PD.....	6,367	536	101	12	1	341	31	-	5,831	1,496	275	-	3,460	400	-
AC.....	2,732	560	250	10	1	284	15	-	2,172	957	46	-	1,110	59	-
NC.....	39	15	-	-	-	13	-	-	24	12	1	-	10	1	-
NC.....	347	34	3	1	1	27	2	-	313	33	14	-	234	32	-
SC.....	414	54	-	-	-	54	-	-	360	194	9	-	108	59	-
VA.....	7,915	1,901	485	123	2	1,050	238	3	6,014	1,140	825	-	2,422	1,627	-
VA.....	261	8	3	1	-	2	2	-	253	60	51	-	93	49	-
WA.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
WA.....	56	3	-	-	-	3	-	-	53	44	-	-	6	3	-
5TH.....	15,970	814	37	4	1	756	10	6	15,156	5,152	293	-	9,199	511	1
LA.....	355	-	-	-	-	-	-	-	355	26	15	-	288	26	-
LA.....	91	9	-	-	-	5	-	-	46	2	1	-	39	4	-
LA.....	952	13	1	1	-	11	-	-	939	49	25	-	874	31	-
MS.....	239	7	1	-	-	6	-	-	232	10	4	-	196	22	-
MS.....	538	29	4	-	-	23	-	2	509	91	23	-	384	11	-
TX.....	588	12	6	-	-	8	-	-	576	168	11	-	367	30	-
TX.....	87	7	-	-	-	7	-	-	80	31	10	-	34	5	-
TX.....	2,594	499	19	-	1	499	6	3	2,135	96	56	-	1,945	37	1
TX.....	8,566	282	33	3	-	261	4	1	8,284	2,679	168	-	5,112	345	-
6TH.....	6,882	418	47	15	2	313	38	3	6,464	3,187	168	-	2,698	371	-
NY.....	176	1	-	-	1	-	-	-	175	22	9	-	134	10	-
NY.....	5,515	184	26	9	-	115	14	2	5,391	2,971	191	-	2,007	242	-
NY.....	134	33	2	-	-	30	1	-	101	23	6	-	55	17	-
NY.....	66	61	-	-	-	41	-	-	25	9	-	-	20	-	-
NY.....	50	10	-	-	-	10	-	-	40	16	-	-	24	-	-
NY.....	151	36	7	-	-	28	1	-	95	33	6	-	39	17	-
NY.....	621	31	1	-	-	18	12	-	390	38	7	-	287	98	-
NY.....	305	100	15	6	1	89	10	1	203	64	7	-	111	21	-
NY.....	46	2	-	-	-	2	-	-	44	15	2	-	21	6	-

TABLE M-2 U.S. DISTRICT COURTS, WISCONSIN CASES
 DEFENDANTS DISPOSED OF BY U.S. MAGISTRATES BY TYPE OF DISPOSITION
 DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1985

CIRCUIT AND DISTRICT	TOTAL ALL DEFEND- ANTS	WISCONSINANS OTHER THAN PETTY OFFENSES							PETTY OFFENSES						
		TOTAL	NOT CONVICTED			CONVICTED			TOTAL	NOT CONVICTED			CONVICTED		
			WITH- OUT TRIAL	COURT TRIAL	JURY TRIAL	AFTER PLEA	COURT TRIAL	JURY TRIAL		WITH- OUT TRIAL	COURT TRIAL	JURY TRIAL	AFTER PLEA	COURT TRIAL	JURY TRIAL
7TH...	2,044	199	40	4	1	146	6	2	1,845	746	224	5	593	295	2
ILJ.....	1,082	39	5	-	-	33	-	1	1,043	462	149	-	240	194	-
ILC.....	365	38	5	2	1	28	2	-	327	26	47	5	197	90	-
ILS.....	177	93	27	1	-	62	3	-	84	29	-	-	51	4	-
INJ.....	94	2	-	-	-	1	-	1	92	75	-	-	11	6	-
INS.....	212	15	3	1	-	10	1	-	197	76	24	-	71	26	-
WIC.....	94	12	-	-	-	12	-	-	82	13	-	-	19	10	-
WIS.....	80	-	-	-	-	-	-	-	80	67	4	-	4	5	-
8TH...	1,140	174	10	2	1	154	7	-	966	210	118	-	479	157	2
ARJ.....	58	20	2	-	-	16	2	-	38	6	13	-	5	16	-
ARJ.....	195	16	1	-	-	14	1	-	179	47	12	-	63	17	-
IAJ.....	6	1	-	-	-	1	-	-	5	-	1	-	-	4	-
IAJ.....	101	6	-	-	-	6	-	-	95	3	24	-	24	44	-
PAJ.....	156	6	-	-	-	6	-	-	150	55	37	-	27	29	1
NCJ.....	225	10	-	-	-	10	-	-	215	70	13	-	123	9	-
NCJ.....	220	72	1	1	1	67	2	-	148	4	1	-	132	10	1
NCJ.....	84	19	2	-	-	17	-	-	65	2	3	-	54	6	-
NCJ.....	43	16	2	1	-	11	2	-	27	6	6	-	10	5	-
SO.....	92	8	2	-	-	6	-	-	84	18	8	-	41	17	-
9TH...	25,403	5,301	1,185	82	10	3,923	194	27	20,222	3,851	816	4	14,045	1,503	1
ARJ.....	752	72	21	3	2	19	25	2	680	344	47	-	207	82	-
ARJ.....	1,249	137	10	-	-	127	-	-	1,112	92	30	-	990	30	-
CAJ.....	3,978	495	104	3	1	368	15	2	3,483	737	205	-	2,130	410	1
CAJ.....	1,749	117	11	-	-	98	8	-	1,652	380	101	-	985	185	1
CAJ.....	1,911	118	20	4	-	93	1	-	1,793	390	101	-	1,054	248	-
CAJ.....	5,721	251	18	1	-	227	2	3	5,470	721	8	-	4,721	20	-
ICJ.....	3,858	2,547	791	39	5	1,641	61	10	1,291	226	53	-	956	55	1
ICJ.....	239	25	3	-	1	19	-	-	216	51	11	-	133	21	-
ICJ.....	331	-	-	-	-	-	-	-	331	172	6	-	125	32	-
AVJ.....	978	58	-	-	-	58	-	-	920	238	92	-	478	112	-
CRJ.....	368	22	6	-	-	16	-	-	346	114	13	-	169	50	-
MAJ.....	95	10	-	-	-	8	2	-	85	23	9	-	25	28	-
MAJ.....	4,374	1,531	199	37	1	1,249	40	10	2,853	393	140	4	2,076	230	-
10TH...	9,759	758	115	4	3	608	24	2	9,001	2,836	384	1	5,134	639	7
CCJ.....	1,377	197	30	1	-	137	4	-	1,228	447	30	-	887	41	-
RSJ.....	1,659	106	47	-	3	53	3	-	1,553	692	81	-	872	108	-
SPJ.....	1,119	33	12	-	-	17	2	2	1,116	563	73	1	571	108	-
CRJ.....	28	20	3	-	-	17	-	-	9	-	1	-	3	5	-
CRJ.....	79	5	1	-	-	2	2	-	74	4	25	-	41	4	-
CRJ.....	3,901	413	31	3	-	365	14	-	3,488	906	89	-	2,383	110	-
UTJ.....	1,226	21	1	-	-	20	-	-	1,205	319	75	-	580	204	-
UTJ.....	339	3	-	-	-	2	1	-	336	75	12	-	192	57	-
11TH...	6,760	2,121	171	210	2	1,944	187	7	4,647	658	588	-	2,619	782	-
ALJ.....	496	230	38	-	-	181	10	1	266	71	31	-	142	22	-
ALJ.....	746	139	16	8	1	98	16	2	607	142	31	-	369	65	-
ALJ.....	21	6	-	-	-	6	-	-	15	3	1	-	7	4	-
FLJ.....	961	116	11	5	1	82	14	1	845	107	94	-	524	120	-
FLJ.....	172	50	2	-	-	47	1	-	122	54	2	-	49	17	-
FLJ.....	419	55	-	3	-	54	-	-	364	167	24	-	137	36	-
GAJ.....	1,079	324	56	11	-	261	19	1	795	105	42	-	516	89	-
GAJ.....	689	698	2	110	-	914	32	-	31	-	4	-	22	9	-
GAJ.....	2,185	543	46	77	-	321	97	2	1,642	8	359	-	851	474	-

TABLE H-9 U.S. DISTRICT COURTS.
MATTERS DISPOSED OF BY U.S. MAGISTRATES
PURSUANT TO TITLE 28 U.S.C. SECTION 636(a)
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1985

CIRCUIT AND DISTRICT	TOTAL	SEARCH WARRANTS	ARREST WARRANTS	SUM- MONES	INITIAL APPEAR- ANCES	PRELIM. HEARINGS	WAIL REVIEWS	GRAND JURY SESSIONS	ARRAIGN- MENTS	OTHER
TOTAL...	119,692	9,776	11,904	1,274	44,379	4,922	8,091	3,814	24,825	18,744
DC.....	1,410	67	192	2	441	343	78	114	108	65
1ST...	4,785	288	225	78	1,810	134	185	295	1,264	500
ME.....	253	45	4	-	61	8	2	2	98	73
MA.....	2,331	163	122	70	1,131	24	52	199	418	190
MD.....	109	9	9	1	38	11	3	57	34	4
MI.....	303	28	22	-	59	17	18	20	82	56
MO.....	1,729	43	40	7	531	72	114	57	644	172
ND.....	8,968	1,290	1,516	108	3,732	162	569	926	973	690
CT.....	1,129	230	137	-	313	28	178	33	148	65
NY.....	487	34	50	-	161	27	33	57	58	67
NY.....	2,467	223	400	87	977	3	167	206	151	283
NY.....	3,854	629	640	20	1,487	24	149	149	20	234
NY.....	765	151	75	-	205	57	20	65	158	30
NY.....	236	23	14	1	89	21	21	16	40	11
SD.....	6,631	750	921	71	2,134	306	407	413	1,271	361
DE.....	125	17	27	2	54	10	-	11	-	2
DE.....	1,577	259	357	-	715	20	54	113	14	64
PA.....	2,469	301	342	21	610	204	54	179	617	135
PA.....	309	41	25	22	171	9	2	6	3	30
PA.....	1,182	118	144	28	271	58	41	104	316	124
PA.....	949	14	44	-	333	1	249	-	321	5
TH.....	7,347	790	877	75	2,346	292	367	168	1,817	675
PD.....	2,192	438	289	8	702	34	69	2	514	156
RI.....	779	31	40	-	262	14	33	43	316	90
RI.....	471	23	88	-	222	23	24	10	15	44
RI.....	1,122	26	95	20	402	33	42	17	391	96
SC.....	856	38	117	7	217	12	93	32	287	52
VA.....	1,040	157	134	40	323	111	69	39	63	124
VA.....	287	20	40	-	119	19	13	4	-	74
VA.....	219	21	21	-	44	3	3	-	111	16
VA.....	361	41	67	-	79	13	19	14	120	23
TH.....	20,017	498	1,496	254	9,167	931	1,297	371	3,430	1,920
LA.....	2,075	34	133	-	611	17	78	69	726	404
LA.....	311	11	32	5	103	2	41	1	69	48
LA.....	671	26	40	-	194	8	99	21	181	72
LA.....	202	28	11	-	43	6	11	7	47	34
LA.....	507	33	63	-	215	15	8	-	183	10
LA.....	1,896	143	184	32	1,070	79	109	3	44	230
LA.....	437	23	40	2	169	23	29	6	59	86
LA.....	7,756	255	639	180	3,836	282	491	144	1,335	462
LA.....	6,162	163	791	83	2,408	520	431	118	593	573
TH.....	7,803	719	986	21	2,468	357	260	380	1,975	719
NY.....	287	48	21	7	63	21	9	3	86	51
NY.....	607	27	127	-	175	40	8	24	147	131
NY.....	2,135	198	276	4	681	37	92	181	579	65
NY.....	670	27	83	-	91	8	13	35	201	12
NY.....	1,056	138	188	2	194	79	59	80	250	84
NY.....	1,066	146	149	4	245	45	26	57	193	181
NY.....	536	33	43	-	258	18	29	11	141	73
NY.....	744	52	78	4	547	42	16	7	76	122
NY.....	892	90	21	-	432	29	14	2	324	20

TABLE N-3 U.S. DISTRICT COURTS.
MATTERS DISPOSED OF BY U.S. MAGISTRATES
PURSUANT TO TITLE 28 U.S.C. SECTION 636(f)(1)
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1995

CIRCUIT AND DISTRICT	TOTAL	SEARCH WAR- RANTS	ARREST WAR- RANTS	SUM- MONSES	INITIAL APPEAR- ANCES	PHLEGM- EXAMS	DEAL REVIEWS	GRAND JURY SESSIONS	ARRAIGN- MENTS	OTHER
7TH...	4,746	387	307	15	1,332	234	124	158	773	1,768
IL,N.....	1,370	186	234	3	469	162	84	8	88	174
IL,C.....	414	23	37	-	78	27	9	28	108	117
IL,S.....	484	20	49	-	64	17	17	14	168	133
IN,N.....	357	20	31	-	124	17	6	27	67	68
IN,S.....	1,168	93	92	3	281	12	21	2	21	683
MI,N.....	724	95	41	9	212	14	13	93	183	74
MI,S.....	229	10	3	-	70	-	8	24	91	21
8TH...	9,957	399	617	10	1,978	333	418	83	1,463	519
AR,N.....	907	32	34	-	143	10	10	5	298	60
AR,S.....	200	28	34	-	43	12	4	2	61	18
IL,N.....	213	34	14	-	63	3	1	19	107	7
IL,S.....	296	30	24	-	37	16	22	15	117	15
MO,N.....	1,190	74	161	8	347	107	47	11	308	133
MO,S.....	1,179	69	170	8	617	93	229	8	153	94
ND,N.....	1,228	44	93	-	479	93	30	23	330	146
ND,S.....	287	8	29	1	74	10	6	7	120	30
SD,N.....	252	15	28	-	80	27	4	8	60	35
SD,S.....	505	3	28	1	290	22	66	0	204	78
9TH...	30,159	3,249	2,901	638	11,611	919	2,799	968	6,394	1,780
AR,N.....	290	91	24	-	37	19	20	5	92	42
AR,S.....	3,229	219	195	93	1,293	180	352	76	994	251
CA,N.....	4,627	381	656	121	1,450	158	360	27	1,108	126
CA,S.....	2,008	199	298	9	430	94	263	55	923	137
CA,N.....	6,070	1,089	375	20	2,498	89	370	219	1,059	255
CA,S.....	7,057	364	260	23	3,991	184	821	1	1,225	184
HI,N.....	979	478	5	3	180	50	95	51	180	77
HI,S.....	440	94	29	1	90	38	4	-	183	37
PT,N.....	257	62	30	-	114	13	9	-	75	26
PT,S.....	1,784	112	317	108	385	20	73	100	379	90
OR,N.....	974	102	53	85	189	94	40	32	197	182
OR,S.....	617	67	91	-	131	34	15	8	211	81
WA,N.....	1,827	97	368	15	599	34	195	34	358	118
10TH...	7,110	441	533	76	2,098	272	395	116	1,614	1,607
CO,N.....	1,830	138	200	61	598	75	68	74	447	171
CO,S.....	883	22	29	-	334	73	29	-	231	164
NE,N.....	876	89	78	-	326	14	97	16	254	66
NE,S.....	1,213	80	49	2	246	20	51	-	135	670
NE,N.....	168	7	18	-	35	13	7	-	90	8
NE,S.....	903	55	99	4	204	38	27	11	190	273
UT,N.....	1,011	61	43	7	184	58	148	15	223	270
UT,S.....	226	13	21	-	127	33	8	-	4	20
11TH...	16,479	798	1,281	128	5,176	648	1,200	584	3,994	690
AL,N.....	840	84	76	-	213	14	12	14	354	69
AL,S.....	257	14	77	1	64	12	71	7	-	11
AL,N.....	976	32	49	-	152	35	69	13	287	24
FL,N.....	310	13	61	-	195	10	23	13	13	62
FL,S.....	2,632	317	306	12	797	219	227	109	673	212
FL,N.....	7,372	297	410	74	3,010	278	492	309	2,086	186
GA,N.....	1,834	140	195	33	562	70	77	97	580	160
GA,S.....	180	4	18	1	140	12	-	-	-	-
GA,S.....	528	47	115	7	123	18	29	17	165	10

TABLE H-4 U.S. DISTRICT COURTS
 PROCEEDINGS AND CASES DISPOSED OF BY U.S. MAGISTRATES
 PURSUANT TO TITLE 28 U.S.C. SECTIONS 636(b) AND (c)
 DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1989

CIRCUIT AND DISTRICT	TOTAL CRIMINAL CIVIL MATTERS	CRIMINAL PROCEEDINGS					OTHER
		TOTAL CRIMINAL	PRETRIAL CONFERENCES	MOTIONS		PROBATION REVOCATIONS	
				636(b) (1)(A)	636(b) (1)(B)		
TOTAL....	204,997	31,524	2,837	22,668	2,098	192	3,769
DC.....	1,039	45	-	2	-	27	18
1ST....	17,878	4,515	179	4,107	124	1	194
ME.....	832	44	5	30	9	-	-
MA.....	9,884	3,355	6	3,199	87	-	63
MD.....	1,225	42	10	30	-	1	1
RI.....	1,557	160	49	71	1	-	20
PR.....	4,580	934	60	777	27	-	70
2ND....	12,048	459	18	235	64	2	140
CT.....	3,270	245	4	179	62	-	-
NY.....	651	1	-	-	-	-	1
NYE....	3,875	26	6	2	-	-	20
NY.S....	5,284	151	7	24	-	2	118
NY.W....	730	34	3	28	2	-	1
VT.....	288	2	-	2	-	-	-
3RD....	13,456	847	2	659	127	1	98
DE.....	242	-	-	-	-	-	-
MD.....	6,879	32	-	21	-	-	11
PAE.....	1,909	666	-	335	103	1	27
PA.W....	776	-	-	-	-	-	-
PA.W....	2,815	326	2	281	24	-	19
VI.....	835	23	-	22	-	-	1
4TH....	11,777	1,387	58	1,048	83	2	196
MO.....	1,271	20	-	-	-	-	20
MO.E....	2,374	617	-	539	39	2	37
MO.W....	1,543	97	-	67	9	-	81
MO.W....	687	474	-	427	21	-	24
SC.....	2,120	174	58	30	11	-	25
VAE.....	1,516	4	-	3	-	-	1
VA.W....	1,353	4	-	1	2	-	1
VA.W....	305	2	-	-	-	-	2
VA.S....	608	45	-	1	1	-	43
5TH....	27,166	2,931	185	1,874	182	18	392
LA.E....	8,251	634	37	474	48	7	68
LA.W....	720	224	53	150	3	1	19
LA.W....	9,013	509	62	388	7	-	52
PS.W....	3,200	28	-	22	-	-	6
PS.S....	4,175	289	-	219	4	-	76
TZ.W....	1,770	90	13	34	1	-	2
TZ.E....	915	14	-	5	1	-	8
TZ.S....	3,511	355	-	448	8	2	97
TZ.W....	1,611	216	-	114	30	8	64
6TH....	24,395	1,913	921	708	189	5	490
RY.E....	2,138	87	-	67	11	-	9
RY.W....	1,115	81	3	17	1	-	65
PI.E....	9,103	600	345	91	8	-	155
PI.W....	1,792	192	172	30	3	1	36
CH.W....	4,174	649	29	450	184	1	25
CH.S....	5,829	106	-	32	-	-	74
TX.E....	1,536	30	15	14	1	-	-
TX.W....	415	5	1	1	-	3	-
TX.W....	1,293	163	5	11	1	-	126

TABLE M-4 U.S. DISTRICT COURTS
PROCEEDINGS AND CASES DISPOSED OF BY U.S. MAGISTRATES
PURSUANT TO TITLE 28 U.S.C. SECTIONS 636(a) AND (c)
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1985

CIRCUIT AND DISTRICT	TOTAL CRIMINAL CIVIL MATTERS	CRIMINAL PROCEEDINGS					
		TOTAL CRIMINAL	PRETRIAL CONFERENCES	MOTIONS		PROBATION REVOCATIONS	OTHER
				§36(b) (1)(A)	§36(b) (1)(B)		
7TH...	17,679	1,764	112	868	128	3	255
AL.N....	9,221	221	-	151	23	3	46
AL.C....	6,742	63	3	49	-	-	11
IL.S....	1,617	135	-	43	9	-	81
IN.S....	415	22	16	6	-	-	-
IN.S....	9,920	17	-	10	3	-	4
MI.E....	742	363	9	239	52	-	63
MI.S....	1,922	943	84	370	42	-	67
8TH...	16,218	3,074	475	1,781	406	10	402
AR.E....	1,016	237	-	195	7	-	35
AR.W....	400	27	-	12	2	1	12
IA.S....	919	7	2	3	-	-	2
IA.S....	1,204	135	88	42	5	-	-
PA.S....	6,231	694	-	439	145	-	90
PO.E....	2,313	1,213	14	804	190	-	251
ND.W....	2,314	686	367	207	49	7	44
NE.S....	1,754	102	3	74	18	2	5
ND.S....	88	2	1	-	-	-	1
SD.S....	1	1	-	1	-	-	-
9TH...	25,577	3,197	144	1,903	378	36	736
AK.S....	477	144	9	110	24	1	2
AZ.S....	472	28	3	-	-	-	25
CA.S....	9,134	925	29	43	12	4	417
CA.E....	1,130	115	1	28	2	-	34
CA.C....	3,417	125	2	5	10	-	112
CA.S....	1,234	46	-	29	1	2	14
HI.S....	1,107	280	101	123	38	7	11
IO.S....	126	-	-	-	-	-	-
PT.S....	240	1	-	-	-	-	1
NY.S....	3,586	1,185	-	1,224	139	19	1
OR.S....	4,287	384	-	221	139	-	25
WA.E....	206	28	1	22	2	-	3
WA.W....	561	132	2	74	10	3	41
10TH...	13,257	766	452	121	71	3	119
CC.S....	3,836	321	261	18	1	-	41
FS.S....	4,445	260	174	28	11	-	47
HM.S....	1,661	81	-	47	34	-	-
OW.S....	297	48	14	3	23	-	8
OK.E....	181	-	-	-	-	-	-
OR.S....	1,117	12	2	2	-	-	8
UT.S....	1,023	43	1	22	2	3	15
WY.S....	427	1	-	1	-	-	-
11TH...	26,507	11,426	761	9,382	626	46	811
AL.N....	1,778	834	302	433	97	-	2
AL.S....	457	-	-	-	-	-	-
AL.S....	1,848	226	2	216	3	-	5
FL.N....	2,781	43	1	2	-	-	40
FL.S....	8,567	3,787	246	3,112	49	13	319
FL.S....	7,103	3,012	-	4,707	101	19	183
GA.S....	2,732	1,195	212	795	147	11	30
GA.S....	-	-	-	-	-	-	-
GA.S....	1,241	359	-	117	9	3	230

TABLE WA-6 U.S. DISTRICT COURTS
PROCEEDINGS AND CASES DISPOSED OF BY U.S. MAGISTRATES
PURSUANT TO TITLE 28 U.S.C. SECTIONS 636(b) AND (c)
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1983

CIRCUIT AND DISTRICT	CIVIL PROCEEDINGS					CIVIL CASES					SECTION 636(c) CONSENT CASES	
	TOTAL CIVIL MATTERS	PRETRIAL CONFERENCES	636(b) (1)(A)	636(b) (1)(B)	OTHER	TOTAL CIVIL CASES	PRISONER PETITIONS			SOCIAL SECURITY		SPECIAL MASTER
							STATE	FEDERAL	CIVIL DEBITS			
TOTAL.....	138,493	36,895	84,929	4,968	10,281	35,029	6,172	2,290	11,773	14,101	684	9,717
DC.....	977	380	939	18	40	17	-	-	-	-	17	53
1ST....	17,941	2,374	4,260	941	376	432	68	8	122	190	3	98
PE.....	369	278	301	144	4	39	33	-	11	5	-	64
PS.....	4,273	1,174	4,718	397	34	186	35	3	34	31	-	18
SM.....	1,088	534	734	14	-	99	30	-	66	3	-	12
PI.....	1,311	167	775	65	309	186	1	-	5	97	3	-
PS.....	3,574	424	3,072	67	29	72	8	4	8	34	-	1
2ND....	10,048	1,662	3,329	898	159	1,941	209	93	661	728	93	264
CT.....	2,949	994	1,277	604	32	476	40	5	122	308	1	116
RT.....	3	3	-	-	-	447	88	35	244	276	3	-
PT.....	3,757	2,006	730	93	118	42	-	-	-	42	-	86
PT.....	2,815	1,725	979	130	1	298	41	8	79	70	-	20
PT.....	650	457	194	6	2	37	20	5	1	9	9	42
PT.....	265	77	139	23	6	41	-	-	13	28	-	-
3RD....	10,638	4,720	4,096	451	71	1,971	415	141	680	697	38	65
OC.....	26	1	26	1	-	214	17	-	174	25	-	-
OC.....	6,764	3,040	2,480	148	66	103	26	-	76	-	31	16
OC.....	1,081	466	529	66	-	442	272	12	38	187	3	29
OC.....	293	3	188	42	-	943	47	98	249	199	-	4
OC.....	1,000	24	1,205	601	-	599	103	3	197	292	6	13
OC.....	762	346	368	23	6	78	-	70	-	-	-	-
4TH....	6,566	1,321	4,701	936	128	3,824	572	119	1,067	1,917	129	695
OC.....	637	256	310	39	32	414	106	7	311	187	3	185
OC.....	1,369	135	1,052	155	27	188	53	9	256	70	-	51
OC.....	1,124	304	762	51	6	322	72	27	123	99	1	32
OC.....	100	1	74	5	28	109	23	11	67	23	-	-
OC.....	948	40	865	32	11	1,048	117	94	174	579	109	5
OC.....	1,270	87	1,163	3	22	242	101	2	58	74	3	111
OC.....	718	485	212	19	2	631	5	-	80	569	2	239
OC.....	169	13	130	26	-	134	68	6	68	30	-	51
OC.....	223	6	213	6	-	340	30	3	9	289	6	14
5TH....	16,838	3,494	14,092	936	436	5,777	1,378	358	2,055	862	224	421
LA.....	6,418	1,618	4,623	109	60	1,199	212	37	473	298	179	114
LA.....	185	16	141	3	25	309	44	-	285	-	-	7
LA.....	2,098	258	1,770	9	15	456	147	10	106	178	19	2
PS.....	3,035	231	2,799	40	9	137	22	-	38	77	-	6
PS.....	3,592	624	2,763	67	158	284	42	-	130	82	30	182
TS.....	1,184	709	430	3	15	956	280	93	157	56	-	14
TS.....	634	83	277	28	46	667	71	64	281	51	-	66
TS.....	1,543	392	1,021	60	70	1,413	321	27	1,037	26	2	4
TS.....	438	64	360	21	54	956	229	167	468	94	-	21
6TH....	15,190	2,664	8,835	946	705	9,292	1,050	609	2,418	5,322	93	655
RT.....	1,904	27	1,799	62	7	547	60	78	88	318	3	27
RT.....	343	103	112	3	45	691	143	9	310	233	-	7
PI.....	2,698	553	1,960	110	95	2,005	173	76	624	2,022	10	8
PI.....	1,120	126	951	22	21	400	40	7	549	254	-	-
OW.....	2,503	604	1,519	278	32	902	58	27	77	803	17	456
OW.....	3,386	776	1,768	305	539	2,517	344	27	773	1,168	33	53
OW.....	1,011	256	620	155	-	605	68	11	113	199	8	105
OW.....	140	67	70	2	1	202	1	-	97	137	27	7
OW.....	497	36	409	9	5	693	158	178	287	82	8	12

TABLE NO-4 U.S. DISTRICT COURTS
 PROCEEDINGS AND CASES DISPOSED OF BY U.S. MAGISTRATES
 PURSUANT TO TITLE 28 U.S.C. SECTIONS 636(b) AND (c)
 DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1989

DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 2010													SECTION 636(c)
CIRCUIT AND DISTRICT	CIVIL PROCEEDINGS					CIVIL CASES							
	TOTAL CIVIL MATTERS	PRETRIAL CONFERENCES	636(b) (1)(A)	636(b) (1)(B)	OTHER	TOTAL CIVIL CASES	PRISONER PETITIONS		CIVIL RIGHTS	SOCIAL SECURITY	SPECIAL MASTER	CONSENT CASES	
							STATE	FEDERAL					
1TH...	19,089	3,957	10,340	959	253	1,226	209	189	947	665	16	605	
AL.M....	2,781	1,062	1,401	268	90	219	4	-	0	107	12	49	
AL.C....	4,632	1,313	3,203	75	41	47	-	-	9	42	-	94	
IL.S....	1,289	130	991	44	129	193	10	36	87	92	-	303	
IL.M....	376	221	97	31	27	17	-	-	7	10	-	130	
IN.S....	9,271	999	4,220	90	3	632	183	151	231	63	6	30	
IL.C....	280	13	178	83	1	90	-	-	1	0	19	22	
AL.M....	660	200	280	3	7	19	-	-	-	-	-	3	
8TH...	8,930	2,150	9,445	625	510	2,214	226	334	567	1,071	20	236	
AR.C....	163	2	96	65	-	616	92	15	162	367	-	1	
AR.M....	192	10	168	14	-	181	9	1	55	105	1	1	
LA.S....	904	246	510	114	32	6	-	-	6	-	-	67	
LA.C....	1,066	304	321	25	216	9	-	-	9	-	-	62	
MA....	2,457	983	1,495	65	10	620	33	132	66	309	-	24	
MO.C....	801	70	462	65	10	296	90	19	21	165	4	109	
MO.S....	1,206	214	1,280	69	33	76	24	3	24	25	-	8	
NE....	1,576	63	19	3	-	1	-	-	-	-	-	1	
NC....	65	-	-	-	-	-	-	-	-	-	-	-	
SD....	-	-	-	-	-	-	-	-	-	-	-	-	
9TH...	19,607	3,077	8,998	805	7,327	2,773	659	272	643	897	22	649	
AR....	228	44	185	17	2	109	30	10	38	6	1	1	
AL....	30	9	21	-	-	414	110	35	231	37	1	1	
CA.M....	8,603	890	887	14	6,817	6	-	-	-	-	-	26	
CA.C....	743	86	505	115	39	272	17	3	3	248	1	6	
CA.C....	2,019	287	1,369	220	193	869	219	144	126	377	9	31	
CA.S....	1,182	403	371	2	4	6	-	-	-	-	-	103	
IL....	827	346	345	25	111	-	-	-	-	-	-	1	
IL....	61	9	16	16	2	89	11	0	27	37	2	6	
NY....	98	80	18	-	-	141	41	3	95	-	-	67	
NY....	1,923	138	1,621	111	93	278	67	31	139	21	-	-	
OR....	3,591	328	2,992	220	51	217	64	10	148	110	-	104	
WA....	122	6	77	31	10	96	3	2	65	6	-	81	
WA....	200	43	78	32	67	229	81	22	71	95	-	27	
10TH...	11,241	9,784	9,223	173	61	1,290	225	150	613	260	2	163	
CO....	3,325	2,300	1,010	6	-	190	29	62	121	-	2	-	
IL....	4,731	1,513	2,408	25	-	204	56	-	148	-	-	100	
IL....	1,307	253	1,119	8	2	218	39	7	85	67	-	1	
OH.M....	206	102	29	72	9	43	7	8	6	22	-	1	
OH.C....	85	37	44	4	-	96	25	11	36	24	-	29	
TX....	774	713	55	6	-	326	13	72	129	72	-	9	
UT....	834	452	107	46	31	166	17	10	64	44	-	9	
VT....	999	294	171	9	13	27	3	-	24	-	-	-	
11TH...	10,366	632	8,851	730	159	4,713	1,151	258	1,602	1,692	10	33	
AL.M....	469	114	205	-	4	335	202	48	283	-	2	1	
AL.P....	9	9	-	-	-	448	119	12	209	368	-	1	
AL.S....	1,279	48	1,011	217	9	343	61	2	166	109	5	14	
FL.M....	2,323	10	1,909	324	-	415	81	74	174	86	-	8	
FL.S....	3,521	387	2,053	26	39	1,289	386	8	217	775	3	6	
GA.S....	1,245	2	1,149	180	44	706	239	84	277	176	-	-	
GA.M....	670	92	713	99	44	667	142	29	172	344	-	1	
GA.C....	-	-	-	-	-	-	-	-	-	-	-	-	
GA.S....	667	8	645	4	9	220	1	1	104	114	-	2	

TABLE B-9 U.S. DISTRICT COURTS
 PRISONER PETITIONS CONDUCTED BY U.S. MAGISTRATES
 PURSUANT TO TITLE 28 U.S.C. SECTIONS 636(B) AND (C)
 DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1985

DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 2007														
CIRCUIT AND DISTRICT	HEARINGS (SECTION 636(B)(1)(B))						SPECIAL MASTER (SECTION 636(B)(2))			CONSENSUAL CIVIL CASES TERMINATED (SECTION 636(C))				
	TOTAL	CRIMINAL	CIVIL	PRISONER PETITIONS			TOTAL	WITH HEARING	WITHOUT HEARING	TOTAL	WITHOUT TRIAL	AFTER TRIAL		
				STATE HABEAS	FEDERAL HABEAS	CIVIL RIGHTS						JURY	NON- JURY	
TOTAL.....	3,976	1,146	1,290	247	124	761	684	200	484	3,717	2,924	308	485	
DC.....	32	13	19	-	-	-	17	5	12	93	37	14	2	
1ST....	306	66	212	2	1	9	3	2	1	90	63	6	7	
PE.....	9	5	3	-	-	1	-	-	-	69	64	3	2	
MA.....	46	11	12	2	-	1	-	-	-	16	12	2	2	
AP.....	43	10	33	-	-	-	-	-	1	12	7	2	3	
PI.....	190	25	162	-	-	3	-	-	-	1	-	1	-	
PR.....	16	15	2	-	1	-	-	-	-	-	-	-	-	
2ND....	176	56	96	6	1	11	92	36	56	264	224	17	23	
CT.....	49	5	34	2	-	6	1	1	1	116	101	4	11	
NY.....	6	3	1	-	1	-	2	-	-	-	-	-	-	
NY.....	15	3	12	-	-	-	-	-	-	66	76	6	6	
NY.....	91	32	51	6	-	2	80	34	46	20	12	5	3	
NY.....	11	11	-	-	-	-	9	2	7	42	37	2	3	
VT.....	2	2	-	-	-	-	-	-	-	-	-	-	-	
3RD....	115	24	32	9	29	21	38	13	25	65	36	9	16	
CE.....	-	-	-	-	-	-	-	-	-	-	-	-	-	
AL.....	12	7	9	-	-	-	31	13	18	19	11	1	7	
PA.....	27	4	22	1	-	-	3	-	3	29	13	7	9	
PA.....	7	-	9	2	-	-	-	-	-	4	3	-	1	
PA.....	39	12	-	6	-	21	4	-	4	13	11	1	1	
VI.....	30	1	-	-	29	-	-	-	-	-	-	-	-	
4TH....	364	62	146	18	4	152	129	34	95	695	596	29	70	
PC.....	61	-	18	2	-	61	3	2	1	105	151	14	20	
NC.....	65	12	23	6	-	25	-	-	-	51	28	9	14	
NC.....	27	6	9	3	2	7	1	-	1	32	28	-	4	
NC.....	19	14	-	1	-	-	-	-	-	-	-	-	-	
SC.....	78	7	65	1	1	21	5	3	2	113	91	5	17	
VA.....	23	-	-	-	-	-	-	-	-	-	-	-	-	
VA.....	64	3	11	3	-	67	2	2	-	239	233	-	6	
WA.....	31	-	22	1	-	6	-	-	-	51	50	-	1	
WA.....	-	-	-	-	-	-	9	-	9	19	15	-	4	
5TH....	520	73	123	71	26	227	226	65	161	421	256	59	106	
LA.....	143	17	17	23	6	80	179	28	151	119	70	6	43	
LA.....	12	6	4	-	-	-	-	-	-	7	7	-	-	
LA.....	36	21	6	6	1	-	15	7	8	2	1	-	1	
PS.....	30	3	14	3	-	10	-	-	-	6	3	-	3	
PS.....	4	1	2	1	-	-	30	8	22	182	101	38	41	
TX.....	29	2	11	8	3	1	-	-	-	14	1	4	9	
TX.....	121	1	2	11	7	100	-	-	-	66	51	9	6	
TX.....	108	7	50	12	6	33	2	2	-	4	1	1	2	
TX.....	61	13	15	7	3	3	-	-	-	21	19	1	1	
TX.....	-	-	-	-	-	-	-	-	-	-	-	-	-	
6TH....	180	47	92	3	3	35	93	32	61	655	557	48	50	
NY.....	8	8	-	-	-	-	3	1	2	27	18	4	5	
NY.....	13	3	1	-	2	7	-	-	-	7	5	1	1	
PI.....	25	19	4	-	-	2	10	2	8	8	7	-	1	
NY.....	15	1	14	-	-	-	-	-	-	-	-	-	-	
NY.....	54	5	46	1	-	2	17	7	10	456	433	18	13	
TX.....	29	9	15	-	-	9	23	3	20	33	23	2	6	
TX.....	4	-	4	-	-	-	5	4	1	109	57	30	18	
TX.....	22	1	2	-	-	19	27	11	16	7	1	-	-	
TX.....	14	5	6	2	1	-	8	4	4	12	7	1	4	

TABLE W-5 U.S. DISTRICT COURTS
EVIDENTIARY PROCEEDINGS CONDUCTED BY U.S. MAGISTRATES
PURSUANT TO TITLE 28 U.S.C. SECTIONS 636(B) AND (C)
DURING THE TWELVE MONTH PERIOD ENDED JUNE 30, 1985

CIRCUIT DISTRICT	HEARINGS (SECTION 636(B)(1)(B))						SPECIAL MASTER (SECTION 636(B)(2))			CONSENSUAL CIVIL CASES TERMINATED (SECTION 636(C))			
	TOTAL	CRIMINAL	CIVIL	PRISONER PETITIONS			TOTAL	WITH HEARING	WITHOUT HEARING	TOTAL	WITHOUT TRIAL	AFTER TRIAL	
				STATE HABEAS	FEDERAL HABEAS	CIVIL RIGHTS						JULY	AUG- JULY
7TH...	107	47	22	8	2	28	16	4	12	605	605	29	111
AL.A...	27	17	9	-	-	1	12	4	8	49	27	1	21
AL.C...	5	2	2	-	-	-	-	-	-	34	44	4	1
AL.S...	30	-	2	0	2	26	-	-	-	303	233	12	98
IN.A...	6	-	6	-	-	-	4	-	4	130	115	9	18
IN.S...	7	4	3	-	-	-	-	-	-	36	26	3	7
IN.W...	16	16	-	-	-	-	-	-	-	22	15	3	6
MI.E...	8	8	-	-	-	-	-	-	-	3	2	1	-
MI.W...	610	358	107	17	8	48	36	17	19	236	158	38	40
AR.E...	43	4	-	4	3	32	-	-	-	1	-	1	-
AR.W...	18	-	0	4	-	0	1	1	-	1	-	1	-
IA.A...	49	1	48	-	-	-	-	-	-	47	39	2	6
IA.S...	19	0	6	-	-	-	-	-	-	52	29	6	7
PA...	120	108	10	-	1	1	-	-	-	24	18	2	4
PC...	246	194	62	7	2	1	4	3	1	109	68	24	17
PC.W...	71	30	34	2	2	3	30	13	17	8	2	7	4
PC.E...	32	12	19	-	-	-	1	-	1	1	-	-	1
PC.W...	-	-	-	-	-	-	-	-	-	-	-	-	-
SD...	-	-	-	-	-	-	-	-	-	-	-	-	-
SD...	-	-	-	-	-	-	-	-	-	-	-	-	-
9TH...	381	154	174	10	8	35	22	4	18	445	352	48	49
AR...	58	13	39	1	1	4	1	-	1	1	-	-	1
AZ...	4	1	-	1	-	2	1	1	-	1	1	-	-
CA.A...	22	17	5	-	-	-	4	1	5	26	23	2	1
CA.C...	17	1	14	-	-	2	1	-	1	6	2	-	4
CA.S...	63	24	24	4	9	9	2	3	31	17	9	4	4
CA.W...	60	5	55	-	-	-	6	-	6	109	96	3	4
CO...	25	25	-	-	-	-	-	-	-	1	-	-	-
ID...	3	1	2	-	-	-	2	-	2	6	4	-	7
IL...	25	-	4	3	18	-	-	-	-	62	43	12	7
IN...	86	60	24	-	1	1	-	-	-	104	75	17	12
OR...	2	-	2	-	-	-	-	-	-	81	70	5	6
WA...	-	-	-	-	-	-	-	-	-	27	19	-	8
WA.W...	18	7	9	-	-	-	-	-	-	-	-	-	-
WA.E...	-	-	-	-	-	-	-	-	-	-	-	-	-
WA.S...	-	-	-	-	-	-	-	-	-	-	-	-	-
10TH...	232	51	110	16	31	64	2	2	-	163	139	2	2
CO...	91	1	11	0	23	48	2	2	-	-	-	-	-
KS...	1	-	1	-	-	-	-	-	-	100	99	1	1
MO...	5	-	2	2	1	-	-	-	-	1	1	-	-
NE...	1	-	1	-	-	-	-	-	-	1	-	-	-
OK...	11	10	1	-	-	-	-	-	-	-	-	-	-
OK.E...	96	-	94	-	-	-	-	-	-	29	29	-	-
UT...	28	-	-	6	7	15	-	-	-	5	2	1	-
WY...	1	-	-	-	-	1	-	-	-	9	9	-	-
11TH...	547	235	81	85	11	135	10	4	6	33	19	7	7
AL.A...	26	6	1	4	-	13	2	1	1	3	1	-	2
AL.W...	47	-	-	21	9	36	-	-	-	1	-	-	1
AL.S...	94	1	44	7	-	42	-	1	4	14	9	6	7
FL.A...	11	3	5	-	1	2	-	-	-	8	7	-	1
FL.W...	110	57	10	39	-	4	1	2	1	4	2	1	1
FL.S...	102	85	10	3	2	2	-	-	-	-	-	-	-
GA.A...	94	75	8	8	3	-	-	-	-	-	-	1	-
GA.W...	-	-	-	-	-	-	-	-	-	-	-	-	-
GA.S...	48	8	3	1	-	36	-	-	-	2	1	1	-

L. RALPH MECHAM
DIRECTOR

JAMES E. MACKLIN, JR.
DEPUTY DIRECTOR

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

WASHINGTON, D.C. 20544

February 19, 1986

Honorable George Bush
President, United States Senate
202 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. President:

As Secretary to the Judicial Conference of the United States, I am today formally transmitting the Judicial Conference's recommendation that judges of the United States Claims Court, United States bankruptcy judges, and United States magistrates be included in the judicial retirement system now applicable to territorial district judges under 28 U.S.C. § 373. A draft bill to effect the Conference's recommendation and a section-by-section analysis are enclosed.

Like territorial district judges, these judicial officers are vested with decision-making authority and serve for a fixed term of years. Territorial judges and Claims Court judges are appointed by the President and serve on separate courts as Article I judges. United States bankruptcy judges and magistrates serve as judicial officers of the United States district courts. Bankruptcy judges are appointed by the United States circuit judges, and magistrates are appointed by the United States district judges. In each instance, these officers are vested with the authority to decide entire cases, subject to direct appeal to Article III judges. This authority results from significant Congressional expansion of the powers of these officers — in October of 1979 in the case of bankruptcy judges and magistrates, and in October of 1982 in the case of Claims Court judges.

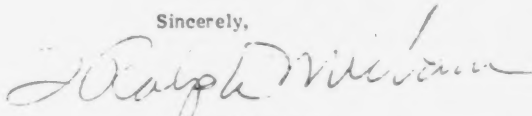
The duties performed by these officers require the appointment of experienced attorneys willing to forgo the financial rewards of private practice. A retirement system that recognizes this special consideration is an important factor in attracting well-qualified individuals to assume these judicial offices. The current Civil Service Retirement System is designed for the typical career Government employee who enters the civil service early and remains for many years. Recruitment for judicial office of individuals who are at the peak of legal experience and earnings is made more difficult under that retirement system because their age often precludes the attainment of sufficient years of service to earn significant retirement benefits under the Civil Service Retirement program. For nearly fifty years, Congress has recognized this need in the case of territorial district judges. In light of the expansion of these other three judicial offices in recent years, the Judicial Conference believes that it is now appropriate to include judges of the United States Claims Court, United States bankruptcy judges, and United States magistrates in the retirement program provided for territorial district judges.

Honorable George Bush
Page Two

That retirement system is described in some detail in the enclosed materials. One key aspect of the system is that it enhances the inducement for these judicial officers to remain available after retirement as "senior judges". The caseloads of the Federal courts continue to grow faster than we can obtain sufficient judicial resources to cope with the new cases — producing, in effect, a "judicial manpower deficit". In some instances this "deficit" has produced near-emergency conditions before additional resources could be provided. The availability of a larger "pool" of "senior judicial officers" will facilitate the Judiciary's response to ever-increasing caseloads and may even hold the potential for reducing future requests for additional active service positions.

The Judicial Conference recognizes that these judicial officers play vital roles in the Federal judicial system today and believes that it is essential that the individuals who occupy these offices be adequately compensated, including the guarantee of a viable level of retirement security. We appreciate whatever consideration the Congress may give to this proposed legislation. Representatives of the Judiciary are available to testify in support of these recommendations and to provide whatever additional assistance the Congress may desire.

Sincerely,

A handwritten signature in cursive script, reading "L. Ralph Mechem".

L. Ralph Mechem
Director

Enclosures

99th CONGRESS
2nd SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. _____

introduced the following bill; which was read twice and referred to the Committee
on _____

A B I L L

To provide an appropriate retirement system for fixed term judicial officers.

- 1 Be it enacted by the Senate and House of Represen-
- 2 tatives of the United States of America in Congress
- 3 assembled, That this Act may be cited as the "Fixed
- 4 Term Judicial Officers' Retirement Act of 1986".

1 SEC. 2(a). Section 373 of title 28, United States
2 Code, is amended to read as follows:

3 **"§ 373. Retirement of fixed term judicial offi-**
4 **cers.**

5 "(a) A fixed term judicial officer of the United
6 States who retires after serving at least fourteen
7 years, whether continuously or otherwise, as a fixed
8 term judicial officer shall be entitled to receive,
9 during the remainder of the judicial officer's
10 lifetime, an annuity equal to the salary being received
11 at the time of retirement.

12 "(b) A fixed term judicial officer who retires
13 after serving at least eight years as a fixed term
14 judicial officer shall be entitled to receive, during
15 the remainder of the judicial officer's lifetime, an
16 annuity equal to that proportion of the salary being
17 received at the time of retirement which the aggregate
18 number of years of service bears to fourteen.

19 "(c) A fixed term judicial officer who has served
20 for at least five years as a fixed term judicial offi-
21 cer, whether continuously or otherwise, and who retires
22 or is removed upon the sole ground of mental or physi-
23 cal disability shall be entitled to receive, during the
24 remainder of the judicial officer's lifetime, an annu-
25 ity equal to the lesser of the salary being received at

1 the time of retirement or removal or an amount equal to
2 that proportion of the salary being received at the
3 time of retirement or removal which the aggregate num-
4 ber of years of service bears to fourteen.

5 "(d) An annuity under subsection (a) or (b) of
6 this section shall not become payable until after such
7 fixed term judicial officer has attained the age of
8 sixty-five years.

9 "(e) A fixed term judicial officer who is en-
10 titled to an annuity under this section is also en-
11 titled to a cost-of-living adjustment in such annuity,
12 calculated and payable in the same manner as adjust-
13 ments under section 8340(b) of title 5, United States
14 Code, except that no such annuity, as increased under
15 this subsection, shall exceed the salary then payable
16 for the position from which the judicial officer re-
17 tired.

18 "(f) A fixed term judicial officer who elects to
19 receive an annuity under this section shall not be
20 entitled to receive any annuity to which such fixed
21 term judicial officer would otherwise have been en-
22 titled under subchapter III of chapter 83 of title 5,
23 United States Code.

24 "(g) For purposes of calculating an annuity under
25 this section --

1 "(1) service as a full-time fixed term judi-
2 cial officer of the United States may be
3 credited; and

4 "(2) each month of service shall be credited
5 as one-twelfth of a year."

6 (b) The item relating to section 373 in the sec-
7 tional analysis of chapter 17 of title 28, United
8 States Code, is amended to read as follows:

9 "373. Retirement of fixed term judicial officers."

10 (c) The provisions of this Act shall not affect
11 the amount payable to a judge who retired in accordance
12 with the provisions of section 373 of title 28, United
13 States Code, in effect on the day before the effective
14 date of this Act. A judge in active service on the
15 effective date of this Act, to whom such prior pro-
16 visions of section 373 applied, may elect to retire
17 under such prior provisions.

18 (d)(1) For purposes of calculating an annuity for
19 a judicial officer in active service on the date of
20 enactment of this Act, including an individual serving
21 as a bankruptcy judge whether or not appointed under
22 section 152(a) of title 28, United States Code, service
23 may be credited --

24 (A) in the case of a judge of the United States
25 Claims Court, from October 1, 1982; and

1 (B) in the case of a full-time magistrate or bank-
2 ruptcy judge, from October 1, 1979.

3 (2) A fixed term judicial officer in active ser-
4 vice on the date of enactment of this Act, shall be
5 entitled, in lieu of the annuity otherwise provided
6 under this section, to an annuity under subchapter III
7 of chapter 83 of title 5, United States Code, and an
8 annuity calculated under subsections (b) and (c) of
9 section 373 of title 28, United States Code, as amended
10 by this section, without regard to the minimum number
11 of years of service of such judicial officer, except
12 that the aggregate amount of the annuity initially
13 payable on retirement under this subsection shall not
14 exceed the rate of pay for the judicial officer in
15 effect on the day before the retirement became effec-
16 tive.

17 SEC. 3. Section 374 of title 28, United States
18 Code, is amended by adding, immediately after the words
19 "a retired judge", the following: "or a retired fixed
20 term judicial officer".

21 SEC. 4. Section 376 of title 28, United States
22 Code, is amended --

23 (a) by amending subparagraph (a)(1)(B) to read as
24 follows: "(B) a fixed term judicial officer;";

25 (b) by inserting, at the end of paragraph (a)(1),
26 the following: "or, in the case of a fixed term judi-

1 cial officer, who so notifies the Director on or before
2 the date of an election to retire under section 373 of
3 this title.";

4 (c) by amending subparagraph (a)(2)(B) to read as
5 follows:

6 "(B) in the case of a fixed term judicial offi-
7 cer, an annuity paid under section 373 of this
8 title;"; and

9 (d) by inserting immediately after the sentence
10 immediately following paragraph (d)(2) thereof the
11 following new sentence: "In the case of a fixed term
12 judicial officer, such deposit shall be made ini-
13 tially from the full amount which such officer has
14 deposited into the Civil Service Retirement Fund
15 and the balance shall be deposited by such offi-
16 cer."

17 SEC. 5. Section 451 of title 28, United States
18 Code, is amended by adding at the end thereof the fol-
19 lowing new paragraph:

20 "The term "fixed term judicial officer of the
21 United States" and the term "fixed term judicial
22 officer" mean a judge appointed under this title
23 who does not hold office during good behavior, but
24 who serves for a fixed term of years, a judge of a
25 district court for a territory, or a United States
26 magistrate."

1 SEC. 6(a). Section 460 of title 28, United States
2 Code, is amended by adding at the end thereof the fol-
3 lowing new subsection:

4 "(c) Sections 452 through 459 of this chap-
5 ter shall also apply to United States bankruptcy
6 judges and magistrates, except to the extent that
7 the practice of law may be authorized under sec-
8 tions 155(b) and 632(b) of this title.".

9 (b) Subsection 462(b) of title 28, United States
10 Code, is amended by inserting, immediately after
11 "held,", the following: "including sessions before
12 United States bankruptcy judges and magistrates at
13 places authorized by the Judicial Conference of the
14 United States,".

15 SEC. 7(a). Section 631(d) of title 28, United
16 States Code, is amended --

17 (1) by striking the word "unanimous" and in-
18 serting in lieu thereof the word "majority"; and

19 (2) by adding at the end thereof the following
20 new sentence: "Prior to each subsequent anniver-
21 sary of the magistrate's birth, the appointing
22 court or courts may, by majority vote, authorize
23 the magistrate to continue to serve.".

24 (b) Section 631(e) of title 28, United States
25 Code, is amended --

(1) by striking "(j)" and inserting in lieu thereof "(k)";

(2) by striking "(i)" and inserting in lieu thereof "(j)"; and

(3) by striking "(h)" and inserting in lieu thereof "(i)".

(c) Section 631 of title 28, United States Code, is amended by adding at the end thereof the following new subsection:

"(1) A United States magistrate who has retired under section 373 of this title, other than for disability, may perform the duties of a United States magistrate in any judicial district when called upon to do so by the chief judge of such district court, with the approval of the Council for the circuit within which such district is located and the Council within which the magistrate served when in regular active service, for such period of time as may be specified by the chief judge. The qualifications requirements of subsections (a), (b), (c), and (d) of this section shall not apply to the recall of a retired magistrate. Such recalled magistrate shall be entitled to allowance for travel and other expenses as a magistrate in regular active service and shall receive supplemental pay, in addition to the

retirement annuity, in such amount as may be set
by the Director pursuant to regulations approved
by the Conference. Such recalled magistrate shall
not continue to serve if such service is disap-
proved by the Conference."

(d) Section 633 of title 28, United States Code,
is amended by striking "643" and inserting in lieu
thereof "634".

SEC. 8. Section 8334 (i) of title 5, United
States Code, is amended by adding at the end thereof
the following new subsection:

"(4) Notwithstanding any other provision of
law a fixed term judicial officer, as defined in
section 451 of title 28, who elects retirement
coverage under section 373 of title 28 or section
2 of the Fixed Term Judicial Officers' Retirement
Act of 1986 shall not be subject to deductions and
contributions to the Fund, as of the date the
Director receives notice of such election, and
shall be entitled to a lump sum credit under sec-
tion 8342(a) of this title."

SEC. 9. This Act and the amendments made by this
Act shall take effect on the date of enactment and
shall apply to fixed term judicial officers who retire
on or after the date of enactment of this Act.

FIXED TERM JUDICIAL OFFICERS' RETIREMENT ACT OF 1986

SECTION-BY-SECTION ANALYSIS

Section 1. The short title "Fixed Term Judicial Officers' Retirement Act of 1986" is applied to the bill.

Section 2. District judges appointed for the territories, unlike Article III judges, serve for fixed terms of years rather than during good behavior. Section 373 of title 28, United States Code, now provides a special retirement system for these four judges. A territorial judge becomes eligible for a retirement annuity equal to the salary of the office at age 70 after serving for 10 years or at age 65 after serving for 15 years. The annuity may be increased by periodic cost-of-living adjustments, not to exceed 95 percent of a United States district judge's salary. An annuity is also provided in the case of a disability.

The bill would expand section 373 to include United States bankruptcy judges, judges of the United States Claims Court, and United States magistrates. Like territorial judges, these judicial officers perform judicial functions and serve for fixed terms of years. Subsection (a) of the revised section 373 authorizes an annuity equal to the salary of office after 14 years of service. Subsection (b) authorizes a proportionate annuity after 8 years of service, and subsection (c) authorizes a proportionate annuity in the case of a disability after 5 years of service. An annuity under subsection (b) or (c) is calculated by dividing the judge's years of service by 14 and multiplying the result by the salary of the office. Subsection (d) prohibits the payment of an annuity under either subsection (a) or (b) until the judicial officer attains age 65.

Subsection (e) of the revised section 373 would authorize cost-of-living adjustments to the extent that the adjusted annuity would not exceed the salary then payable to the position from which the judicial officer retired. Subsection (f) prohibits a judicial officer who elects to retire under the revised section 373 from also receiving an annuity from the Civil Service Retirement Fund. Finally, subsection (g) provides that all service as a full-time judicial officer is to be credited and that each month of service shall be counted as one-twelfth of a year in calculating an annuity.

Subsection 2(b) of the bill makes a conforming amendment to the sectional analysis of chapter 17 of title 28, United States Code.

Subsection 2(c) preserves existing benefits under the present version of section 373 to which incumbent and retired territorial judges may already be entitled.

Sectional Analysis
Page 2

Subsection 2(d) provides transitional rules for incumbent judicial officers brought under section 373 by these amendments. First, all incumbent bankruptcy judges are included whether appointed under 28 U.S.C. §152 as enacted in 1984 or under earlier provisions of law. Second, judges of the Claims Court may credit any service since October 1, 1982 — the date the new court was established. Bankruptcy judges and magistrates may credit any service since October 1, 1979 — the date the bankruptcy judges' powers were enhanced under the 1978 Bankruptcy Amendments (Public Law 95-598) and the approximate date that magistrates' powers were enhanced under the Federal Magistrate Act of 1979 (Public Law 96-82). Finally, subsection (d) authorizes incumbent judicial officers who have substantial credit under the Civil Service Retirement Fund to receive a combined annuity, subject to the overall limit in new section 373.

Section 3. A conforming amendment includes retired fixed term judicial officers in 28 U.S.C. § 374, relating to official duty stations of retired judges.

Section 4. Section 373 of title 28, United States Code, authorizes only a basic retirement annuity. No provision is made for surviving spouses or dependent children of a deceased judicial officer. Section 3 amends section 376 of title 28, United States Code, to authorize judicial officers to enroll in the Judicial Survivors Annuity System.

Section 5. The general definitions for title 28, United States Code — contained in section 451 — are amended to include the terms "fixed term judicial officer of the United States" and "fixed term judicial officer".

Section 6. Amendments are made to sections 460 and 462 of title 28, United States Code, to include bankruptcy judges and magistrates in the general provisions applicable to judges in a manner similar to Claims Court and territorial court judges.

Section 7. An amendment is made to the Federal Magistrates Act to authorize the district courts to recall retired magistrates. Judges of the Claims Court and bankruptcy judges may already be recalled after retirement. The amendment enables the courts to receive assistance from retired magistrates who are receiving annuities under revised section 373. To facilitate the use of this provision, an amendment is included to permit a magistrate to serve beyond age 70 upon a majority vote of the district court. Current law requires a unanimous vote to permit such service. Section 5 also makes two other technical amendments correcting cross references.

Section 8. A conforming amendment is made to the retirement provisions of title 5, United States Code.

Section 9. The Act shall take effect upon enactment and apply to fixed term judicial officers who retire on or after that date.

L. RALPH MECHEAM
DIRECTOR

JAMES E. MACKLIN, JR.
DEPUTY DIRECTOR

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

WASHINGTON, D.C. 20544

July 31, 1986

Honorable Mitch McConnell
United States Senate
120 Russell Senate Office Building
Washington, D.C. 20510

Attention: Mr. Larry Herman

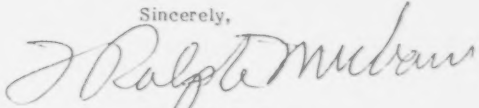
Dear Senator McConnell:

At last week's hearing on S. 2529, you asked Mr. Macklin to furnish detailed information on the caseload growth in the United States district courts in recent years.

In response to that request, I am enclosing two sets of tables from previous Annual Reports of the Director of the Administrative Office of the United States Courts reflecting: (1) the numbers of criminal cases commenced, by nature of offense, for the years ended June 30, 1966-1985; and (2) the numbers of civil cases commenced, by general nature of suit, for the years ended June 30, 1969-1985. In addition, I am enclosing a set of tables showing a more detailed breakdown of the nature of suit of civil filings during these same years.

Please let me know if I can be of any further assistance.

Sincerely,



L. Ralph Mechem
Director

Enclosures

TABLE D 2.—United States district courts. Criminal cases commenced during the fiscal years 1966 through 1970 by nature of offense (excludes transfers)

Nature of proceedings and offense	Total 1966	Total 1967	Total 1968	Total 1969	Total 1970	Percent change 1970 over 1969 ¹
Total.....	29,729	30,534	30,714	32,585	38,102	13.4
Proceedings commenced by:						
Indictment.....	17,008	18,503	19,565	22,554	26,283	18.5
Information—indictment waived.....	5,264	5,669	5,229	5,921	5,919	0.0
Information—other.....	5,037	5,415	4,979	4,317	5,009	16.0
Removed from State court.....	383	124	71	71	122	71.8
Juvenile delinquency proceedings.....	1,008	888	828	662	711	7.4
All other proceedings.....	31	35	42	60	58	-3.3
General offenses:						
Homicide, total.....	174	177	206	197	275	39.6
Murder—first degree.....	43	51	74	74	109	47.3
Murder—second degree.....	82	88	80	71	106	49.3
Manslaughter.....	47	38	52	52	60	15.4
Robbery, total.....	903	1,135	1,279	1,570	1,580	0.6
Bank.....	601	754	809	1,012	1,038	2.6
Postal.....	14	26	23	21	25	19.0
Other.....	288	355	387	537	517	-3.7
Assault.....	469	519	477	564	684	15.2
Burglary—breaking and entering, total.....	527	524	609	605	529	-12.6
Bank.....	63	61	88	66	71	26.8
Postal.....	79	66	56	64	60	-8.3
Interstate shipments.....	13	18	14	10	13	30.0
Other.....	372	377	509	475	385	-18.9
Larceny and theft, total.....	2,451	2,495	2,637	2,758	3,226	17.0
Bank.....	79	94	99	136	157	15.4
Postal.....	771	821	918	912	1,054	15.6
Interstate shipments.....	733	709	673	768	930	21.1
Other U.S. property.....	469	521	531	545	557	2.2
Transportation, etc., of stolen property.....	100	96	142	161	222	37.9
Other.....	299	252	274	236	306	29.7
Embezzlement, total.....	1,276	1,399	1,419	1,712	1,932	12.9
Bank.....	524	545	569	655	754	15.1
Postal.....	814	802	818	783	881	12.6
Other.....	238	252	232	274	297	8.4
Fraud, total.....	2,811	2,180	1,878	1,531	1,763	16.6
Income tax.....	661	570	570	506	742	46.6
Lending institutions.....	226	206	158	183	106	-42.6
Postal.....	343	278	363	361	367	1.7
Veterans and allotments.....	25	22	18	24	20	-16.7
Other.....	1,226	1,072	789	457	549	20.1

See footnote at end of table.

TABLE D 2.—United States district courts. Criminal cases commenced during the fiscal years 1966 through 1970 by nature of offense (excludes transfers)—Concluded

Nature of proceedings and offense	Total 1966	Total 1967	Total 1968	Total 1969	Total 1970	Percent change 1970 over 1966 ¹
Auto theft.....	8,011	4,888	4,722	4,136	4,000	-1.2
Forgery and counterfeiting, total.....	3,411	3,181	3,464	3,113	3,862	24.1
Transportation of forged securities.....	933	892	1,012	905	985	8.8
Postal forgery.....	201	146	184	174	134	-3.0
Other forgery.....	1,969	1,784	1,820	1,818	2,179	43.8
Counterfeiting.....	308	329	448	519	564	8.7
Sex offenses, total.....	273	226	229	224	241	7.6
Rape.....	118	118	142	154	154	0.0
White slave traffic.....	99	70	60	38	52	36.8
Other.....	56	38	27	32	35	
Narcotics, total.....	2,077	2,338	2,860	3,458	3,511	1.6
Marihuana Tax Act.....	989	989	1,502	1,936	2,010	3.8
Border registrations.....	218	187	57	46	20	
Other.....	1,170	1,182	1,301	1,476	1,481	0.3
Miscellaneous general offenses, total.....	1,233	1,511	1,862	2,182	3,478	61.6
Bribery.....	53	57	88	87	97	11.5
Drunk driving and traffic.....	70	79	59	50	60	20.0
Escape ²	354	517	783	894	1,024	14.5
Extortion, racketeering and threats.....	116	173	237	256	283	10.5
Gambling and lottery.....	180	101	83	40	54	35.0
Kidnapping.....	40	55	40	55	78	15.4
Perjury.....	58	44	58	78	97	24.4
Weapons and firearms.....	272	371	400	494	1,547	213.2
Other.....	110	114	114	188	241	28.2
Special offenses:						
Immigration laws.....	3,166	3,386	2,609	4,107	4,514	12.3
Liquor, Internal Revenue.....	2,564	2,443	1,945	1,409	1,358	-3.6
Federal statutes, total.....	3,653	4,192	4,458	6,016	6,939	15.3
Agricultural acts.....	73	78	136	72	132	83.3
Antitrust violations.....	12	16	11	14	4	
Civil rights ³	383	116	74	81	192	137.0
Fair Labor Standards Act.....	22	15	21	10	7	
Food and Drug Act.....	356	438	555	515	499	-3.1
Migratory bird laws.....	492	518	485	426	665	60.8
Motor Carrier Act.....	825	812	493	475	401	-15.8
Selective Service Act.....	663	1,335	1,826	3,305	3,712	12.3
Other national defense laws.....	107	111	76	78	58	-25.6
Mail, transport obscene material.....	135	56	50	50	84	42.4
Other.....	514	693	729	950	1,165	18.9

¹ Percent change is computed only on 50 or more defendants.² Includes escape from custody, aiding or abetting an escape and failure to appear in court.³ These include cases removed from state courts under provision of the Civil Rights Act, 28 U.S.C. 1443.

TABLE D-2.—U.S. district courts. Criminal cases commenced during the fiscal years 1969 through 1973, by nature of offense (excludes transfers)

Nature of proceedings and offense	1969	1970	1971	1972	1973	Per- cent change 1973 over 1972 ¹
Total.....	33,585	33,102	41,290	47,043	40,367	-14.2
Proceedings commenced by:						
Indictment.....	22,554	26,253	28,666	31,601	29,182	-7.7
Information—indictment waived.....	4,921	5,919	5,445	4,402	3,481	-20.9
Information—other.....	4,317	5,009	6,356	10,268	6,894	-32.9
Removed from State court.....	71	123	103	62	68	9.7
Juvenile delinquency proceedings.....	662	711	642	668	609	-8.6
All other proceedings.....	60	88	78	42	73	73.8
General offenses:						
Homicide total.....	197	275	237	309	144	-53.4
Murder—1st degree.....	74	109	113	137	32	-62.0
Murder—2d degree.....	71	106	76	128	41	-68.7
Manslaughter.....	52	60	48	47	81	72.5
Robbery, total.....	1,570	1,580	1,965	2,422	1,568	-35.3
Bank.....	1,012	1,038	1,337	1,455	1,379	-5.2
Postal.....	21	25	44	56	43	-23.1
Other.....	537	517	574	911	146	-84.0
Assault.....	694	684	655	646	665	2.9
Burglary—breaking and entering, total.....	606	829	482	357	289	-24.6
Bank.....	56	71	72	21	38	81.0
Postal.....	64	60	56	82	43	-47.6
Interstate shipments.....	10	13	11	20	11	-45.0
Other.....	475	385	343	264	177	-33.0
Larceny and theft, total.....	2,758	3,226	3,685	3,742	3,516	-6.0
Bank.....	136	157	245	234	179	-23.5
Postal.....	912	1,064	1,295	1,374	1,373	-.1
Interstate shipments.....	768	980	1,040	981	735	-25.0
Other U.S. property.....	545	557	532	507	533	5.1
Transportation, etc., of stolen property.....	161	222	265	296	309	4.4
Other.....	236	306	308	350	386	10.3
Embezzlement, total.....	1,712	1,932	2,250	1,810	1,571	-13.2
Bank.....	655	754	898	900	832	-7.6
Postal.....	783	881	1,038	553	451	-18.4
Other.....	274	297	314	357	288	-19.3
Fraud, total.....	1,531	1,783	2,062	2,748	3,076	11.9
Income tax.....	506	742	780	945	1,285	36.0
Lending institutions.....	183	108	117	246	336	36.6
Postal.....	361	367	450	603	626	3.8
Veterans and allotments.....	24	20	16	12	11	-8.3
Other.....	457	549	699	942	818	-13.2
Auto theft.....	4,139	4,090	2,408	2,350	1,980	-15.6

¹ See footnotes at end of table.

TABLE D-2.—U.S. district courts. Criminal cases commenced during the fiscal years 1969 through 1973, by nature of offense (excludes transfers)—Continued

Nature of proceedings and offense	1969	1970	1971	1972	1973	Percent change 1973 over 1972 ¹
General offenses—Continued						
Forgery and counterfeiting, total.....	3,113	3,903	4,342	4,585	4,104	-12.4
Transportation of forged securities.....	906	985	1,092	949	806	-15.4
Postal forgery.....	174	134	114	126	86	-31.7
Other forgery.....	1,515	2,179	2,312	2,581	2,482	-2.7
Counterfeiting.....	519	564	724	1,060	628	-40.8
Sex offenses, total.....	224	241	206	274	180	-34.3
Rape.....	154	154	138	199	90	-54.8
White slave traffic.....	38	32	36	32	63	71.2
Other.....	32	35	32	23	27	21.7
Narcotics, total.....	3,458	3,511	4,579	5,788	5,317	-8.1
Marihuana Tax Act.....	1,936	2,010	2,403	351	71	-80.3
Border registrations.....	48	30	5			
Other.....	1,478	1,481	1,943	404	70	-82.7
Drug Abuse Prevention and Control Act, total ²			328	5,953	5,576	-6.3
DAPCA marihuana.....			127	2,641	3,448	30.6
DAPCA narcotics.....			180	2,474	4,284	73.2
DAPCA controlled substances.....			41	878	944	7.6
Miscellaneous general offenses, total.....	2,182	3,478	4,393	5,066	5,020	-0.9
Bribery.....	87	97	114	183	181	-1.1
Drunk driving and traffic.....	50	80	88	124	211	70.2
Escape ³	864	1,024	1,245	1,415	1,377	-2.7
Extortion, racketeering, and threats.....	226	283	333	332	402	21.1
Gambling and lottery.....	40	54	90	280	182	-35.0
Kidnapping.....	55	75	84	122	98	-19.7
Perjury.....	78	97	124	186	230	22.8
Weapons and firearms.....	494	1,547	2,036	2,377	2,224	-6.4
Other.....	188	241	229	66	145	119.7
Special offenses:						
Immigration laws.....	4,107	4,614	5,027	5,904	2,308	-60.8
Liquor, Internal Revenue.....	1,409	1,366	1,171	1,254	901	-28.1
Federal statutes, total.....	5,016	5,980	6,198	7,158	3,209	-55.2
Agricultural acts.....	72	132	268	249	549	120.5
Antitrust violations.....	14	4	10	14	20	42.9
Civil rights ⁴	81	192	186	91	136	49.5
Fair Labor Standards Act.....	10	7	3	4	3	-25.0
Food and Drug Act.....	513	499	445	211	108	-48.8
Migratory bird laws.....	426	555	400	380	232	-39.4
Motor Carrier Act.....	476	401	324	230	252	9.6
Selective Service Act.....	3,305	3,712	4,539	5,142	3,043	-40.8
Other national defense laws.....	78	58	111	107	87	-18.7
Mail, transport obscene material.....	59	84	81	71	76	7.0
Other.....	980	1,155	1,496	2,210	1,532	-30.7

¹ Percent change is computed on 50 or more defendants.² The Comprehensive Drug Abuse Prevention and Control Act of 1966 (Public Law 89-513) became

TABLE D2AC U.S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY NATURE OF OFFENSE (EXCLUDES TRANSFERS)
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1973 AND 1977

NATURE OF PROCEEDINGS AND OFFENSE	TOTAL 1973	TOTAL 1974	TOTAL 1975	TOTAL 1976	TOTAL 1977	PER- CENT CHANGE 1977 OVER 1976
TOTAL.....	40,367	37,667	41,108	39,747	39,788	1.6
PROCEEDINGS COMMENCED BY						
INDICTMENT.....	29,152	25,448	26,775	26,350	24,991	-4.4
INFORMATION--INDICTMENT WAIVED.....	3,481	3,023	2,782	2,583	2,278	-11.8
INFORMATION--OTHER.....	6,894	8,278	10,384	9,877	11,543	20.5
REMANDED FROM APPELLATE COURT.....	-	-	-	114	119	4.4
REMOVED FROM STATE COURT.....	68	78	69	95	154	62.1
REOPENED/REINSTATED.....	-	-	-	220	333	51.4
APPEAL FROM U.S. MAGISTRATE.....	-	-	-	108	148	37.0
JUVENILE DELINQUENCY PROCEEDINGS.....	699	727	522	300	220	-26.7
GENERAL OFFENSES						
HOMICIDE TOTAL.....	144	160	149	158	131	-17.1
MURDER--1ST DEGREE.....	52	65	65	74	63	-14.9
MURDER--2ND DEGREE.....	41	31	20	31	25	-
MANSLAUGHTER.....	51	64	64	53	43	-
ROBBERY, TOTAL.....	1,568	1,556	2,166	2,042	1,734	-15.1
BANK.....	1,379	1,468	2,032	1,905	1,629	-14.5
POSTAL.....	43	42	83	68	63	-7.4
OTHER.....	146	46	71	69	42	-
ASSAULT.....	695	710	833	832	691	-16.9
BURGLARY--BREAKING AND ENTERING, TOTAL.....	269	271	411	354	400	13.0
BANK.....	38	48	100	42	88	-
POSTAL.....	43	37	55	61	54	-11.5
INTERSTATE SHIPMENTS.....	11	9	9	6	4	-
OTHER.....	177	177	247	245	274	11.8
LARCENY AND THEFT, TOTAL.....	3,516	3,565	4,626	4,006	4,733	18.1
BANK.....	179	171	264	168	144	-14.3
POSTAL.....	1,373	1,398	1,798	1,527	1,742	14.1
INTERSTATE SHIPMENTS.....	736	771	948	699	523	-25.2
OTHER U.S. PROPERTY.....	533	523	662	661	1,052	59.2
TRANSPORTATION, ETC., OF STOLEN PROPERTY.....	309	239	330	266	358	34.6
OTHER.....	388	463	624	685	914	33.4
EMBEZZLEMENT, TOTAL.....	1,571	1,612	1,870	1,778	1,977	11.2
BANK.....	832	896	1,149	1,087	1,062	-2.3
POSTAL.....	451	394	367	319	344	7.8
OTHER.....	288	322	354	372	571	53.5
FRAUD, TOTAL.....	3,076	3,073	3,666	3,930	4,986	26.9
INCOME TAX.....	1,285	1,292	1,275	1,271	1,506	18.5
LENDING INSTITUTIONS.....	336	384	550	435	511	17.5
POSTAL.....	626	605	743	844	951	12.7
VETERANS AND ALLOTMENTS.....	11	15	9	23	64	-
OTHER.....	818	777	1,089	1,357	1,954	44.0
AUTO THEFT.....	1,960	1,790	1,591	1,430	1,167	-18.4

SEE FOOTNOTES AT END OF TABLE

TABLE D2AC U.S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY NATURE OF OFFENSE (EXCLUDES TRANSFERS)
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1973 AND 1977

NATURE OF PROCEEDINGS AND OFFENSE	TOTAL 1973	TOTAL 1974	TOTAL 1975	TOTAL 1976	TOTAL 1977	PER- CENT CHANGE ¹ 1977 OVER 1976
FORGERY AND COUNTERFEITING, TOTAL.....	4,104	4,360	4,607	3,972	3,976	.1
TRANSPORTATION OF FORGED SECURITIES.....	898	923	1,014	982	828	-36.0
POSTAL FORGERY.....	86	141	126	101	113	11.9
OTHER FORGERY.....	2,482	2,791	2,851	2,511	2,631	4.8
COUNTERFEITING.....	638	505	616	378	604	59.8
SEX OFFENSES, TOTAL.....	180	189	176	127	141	11.0
RAPE.....	90	103	101	78	88	12.8
WHITE SLAVE TRAFFIC.....	83	52	50	29	25	-
OTHER.....	27	24	25	20	28	-
NARCOTICS, TOTAL.....	8,817	7,374	7,331	6,198	4,866	-21.5
MARIHUANA TAX ACT.....	71	26	8	-	1	-
BORDER REGISTRATIONS.....	-	-	-	-	-	-
OTHER.....	70	54	25	66	34	-
DRUG ABUSE PREVENTION AND CONTROL ACT, TOTAL ²	8,676	7,294	7,298	6,132	4,831	-21.2
DAPCA MARIHUANA.....	3,448	2,842	2,672	2,046	1,457	-28.8
DAPCA NARCOTICS.....	4,284	3,392	3,484	3,222	2,709	-15.9
DAPCA CONTROLLED SUBSTANCES.....	944	1,060	1,142	864	665	-23.0
MISCELLANEOUS GENERAL OFFENSES, TOTAL.....	5,020	6,021	7,230	7,971	10,155	27.4
BRIBERY.....	181	189	286	178	196	10.1
DRUNK DRIVING AND TRAFFIC.....	211	531	1,220	2,587	4,966	92.0
ESCAPE ³	1,377	1,505	1,497	1,433	1,352	-5.7
EXTORTION, RACKETEERING, AND THREATS.....	402	353	394	406	348	-14.3
GAMBLING AND LOTTERY.....	152	112	163	130	82	-36.9
KIDNAPPING.....	98	127	134	75	79	5.3
PERJURY.....	230	204	225	187	153	-18.2
WEAPONS AND FIREARMS.....	2,224	2,911	3,165	2,847	2,858	.4
OTHER.....	145	89	146	128	121	-5.5
SPECIAL OFFENSES						
IMMIGRATION LAWS.....	2,208	1,921	1,947	2,070	1,436	-30.6
LIQUOR, INTERNAL REVENUE.....	901	641	349	187	140	-25.1
FEDERAL STATUTES, TOTAL.....	6,338	4,424	4,156	4,092	3,253	-20.5
AGRICULTURAL ACTS.....	549	508	451	426	314	-26.3
ANTITRUST VIOLATIONS.....	20	24	36	19	31	-
CIVIL RIGHTS ⁴	136	134	127	85	63	-25.9
FAIR LABOR STANDARDS ACT.....	3	1	1	1	3	-
FOOD AND DRUG ACT.....	108	116	85	61	111	82.0
MIGRATORY BIRD LAWS.....	232	253	361	944	561	-40.6
MOTOR CARRIER ACT.....	252	225	146	113	114	.9
SELECTIVE SERVICE ACT.....	3,043	1,008	274	120	137	14.2
OTHER NATIONAL DEFENSE LAWS.....	87	99	105	172	107	-37.8
MAIL, TRANSPORT OBSCENE MATERIAL.....	76	78	73	37	18	-
POSTAL LAWS, OTHER.....	-	-	-	-	782	-
OTHER.....	1,832	1,978	2,497	2,114	1,012	-52.1

1 PERCENT CHANGE IS COMPUTED ON 50 OR MORE DEFENDANTS.

2 THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970
(PUBLIC LAW 91-513) BECAME EFFECTIVE MAY 1, 1971.

3 INCLUDES ESCAPE FROM CUSTODY, AIDING OR ABETTING AN ESCAPE, FAILURE TO APPEAR
IN COURT AND BAIL JUMPING.

4 THESE INCLUDE CASES REMOVED FROM STATE COURTS UNDER PROVISION OF THE CIVIL
RIGHTS ACT, 28 U.S.C. 1443.

Retirement Benefits for Bankruptcy Judges Retiring in 1985

	Age in 1985	Years of Service	Entry on Duty Date	Date of Retirement	In Qualifying Service *	Years Other Service	High 3 Salary	Estimated Regular Formula	Benefits Special Formula	Calculation Difference
1.	69	3	1/15/82	2/1/85	3.0	6.8333	63,078	10,066.16	11,485.42	1,419.26
2.	61	22	7/1/63	2/28/85	24.4167	12.5833	63,346	44,500.57	50,676.80	6,176.23
3.	65	24	11/16/61	2/28/85	23.25	—	63,346	27,080.42	36,819.63	9,739.21
4.	80	26	7/20/59	3/22/85	25.5833	0.4167	62,547	30,661.43	41,040.75	10,379.32
5.	71	18	11/28/67	3/31/85	20.4167	—	63,638	23,599.13	32,482.43	8,883.30
6.	82	47	9/15/38	4/16/85	46.5833	—	63,746	50,996.80	50,996.80	—
7.	78	22	2/4/63	4/30/85	22.5	—	63,894	26,356.28	35,940.38	9,584.10
8.	63	14	12/8/71	4/30/85	16.0	4.4167	63,903	23,697.41	29,794.80	6,097.39
9.	68	14	2/9/71	5/31/85	18.4167	2.0833	64,158	23,898.86	31,544.37	7,645.51
10.	71	16	9/1/69	5/31/85	19.1667	—	64,158	22,188.02	30,742.43	8,554.41
11.	65	21	2/15/64	5/31/85	24.5	—	64,158	29,031.50	39,296.78	10,265.28
12.	72	16	7/1/69	6/30/85	16.0	—	64,069	18,099.49	25,627.68	7,528.19
13.	77	11	12/2/74	6/30/85	10.5	5.25	64,445	17,883.49	22,032.19	4,148.70
14.	75	44	3/6/41	7/31/85	46.0	—	58,267	46,613.60	46,613.60	—
15.	76	18	8/7/67	9/1/85	22.0833	—	64,983	26,263.92	35,875.98	9,612.06
16.	68	24	5/13/61	9/3/85	28.0833	8.0833	65,022	44,594.17	52,017.60	7,423.43
17.	77	32	1/1/53	9/30/85	36.8333	—	55,033	38,477.20	44,026.40	5,549.20
18.	66	16	3/1/69	11/30/85	21.75	9.0	65,821	38,011.63	45,334.21	7,322.58
19.	72	39	5/1/46	11/30/85	43.4167	—	65,708	52,566.76	52,566.76	—
20.	76	25	7/15/60	12/31/85	25.4167	5.5	66,038	38,357.12	48,317.86	9,960.74
AVE.	71.6	22.6					64,281 #	30,436.29 #	37,366.27 #	6,929.98 #

* Qualifying service includes up to 5 years of military service.

Do not include two judges whose "high-3 salaries" include part-time service.

TABLE D-3 CASES U.S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1976 THROUGH 1982

NATURE OF PROCEEDINGS AND OFFENSE	1976	1979	1980	1981	1982	PERCENT CHANGE 1982 OVER 1981
TOTAL	34,026	31,838	27,988	30,285	31,823	4.2
PROCEEDINGS COMMENCED BY						
INDICTMENT	22,698	18,724	18,524	17,229	18,415	6.8
INFORMATION--INDICTMENT WAIVED	1,148	744	473	487	606	69.6
INFORMATION--OTHER	8,730	10,340	9,048	10,039	8,808	-12.3
REMAINED FROM APPELLATE COURT	182	128	80	83	74	-10.8
REMOVED FROM STATE COURT	80	81	30	22	16	-27.3
REOPENED/REINSTATED	228	181	100	87	120	37.9
APPEAL FROM U.S. MAGISTRATE	104	169	112	210	170	-19.1
JUVENILE DELINQUENCY PROCEEDINGS	120	78	88	82	81	-1.0
CONSIST BEFORE MAGISTRATE	1,386	1,114	1,488	2,070	3,048	47.1
RETRIAL ON MISTRIAL	-	-	19	17	48	70.8
RETRIAL--REMAND FROM APPEALS COURT	-	-	23	29	33	12.8
GENERAL OFFENSES						
HOMICIDE TOTAL	144	148	141	188	181	-18.6
MURDER 1ST DEGREE	88	83	87	83	70	-16.7
MURDER 2ND DEGREE	34	29	26	42	34	-19.1
MANSLAUGHTER	41	88	49	81	47	-23.0
ROBBERY, TOTAL	1,377	1,149	1,281	1,415	1,427	0.8
BANK	1,293	1,068	1,147	1,314	1,323	0.7
POSTAL	38	41	82	41	47	14.8
OTHER	48	42	52	60	87	8.0
ASSAULT	887	841	888	859	879	3.8
BURGLARY--BREAKING AND ENTERING, TOTAL	207	198	181	128	143	14.4
BANK	7	7	2	5	8	-
POSTAL	41	48	24	32	34	6.3
INTERSTATE SHIPMENTS	1	-	1	4	3	-
OTHER	189	146	124	84	88	18.7

TABLE D-2 CASES U. S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1978 THROUGH 1982

NATURE OF PROCEEDINGS AND OFFENSE	1978	1979	1980	1981	1982	PERCENT CHANGE 1982 OVER 1981
LARCENY AND THEFT, TOTAL	3,995	3,420	3,033	3,030	2,887	- 4.7
BANK	121	134	124	134	161	20.1
POSTAL	1,466	887	690	818	531	- 2.6
INTERSTATE SHIPMENTS	348	278	299	307	266	-16.9
OTHER U. S. PROPERTY	1,002	1,282	1,158	1,168	1,063	- 8.2
TRANSPORTATION, ETC., OF STOLEN PROPERTY	302	243	228	280	342	22.1
OTHER	767	668	634	633	536	-16.6
EMBEZZLEMENT, TOTAL	1,944	1,928	1,878	1,938	2,072	12.9
BANK	866	844	820	1,018	1,061	3.2
POSTAL	270	261	267	274	286	4.4
OTHER	708	830	391	644	735	36.1
FRAUD, TOTAL	4,637	5,005	4,632	4,744	4,709	- 0.7
INCOME TAX	1,347	1,429	1,387	1,223	1,056	-13.7
LENDING INSTITUTION	417	421	418	470	485	3.2
POSTAL	776	1,005	881	930	937	0.8
VETERANS AND ALLOTMENTS	3	18	10	10	16	60.0
SECURITIES AND EXCHANGE	29	29	13	11	16	36.4
SOCIAL SECURITY	177	276	320	330	225	-31.8
FALSE PERSONATION	42	86	37	42	45	7.1
NATIONALITY LAWS	185	217	121	185	180	- 2.7
PASSPORT FRAUD	78	82	89	72	75	4.2
FALSE CLAIMS AND STATEMENTS	732	720	787	817	848	16.0
OTHER	641	796	691	694	728	11.3
AUTO THEFT	810	399	381	305	369	21.0
FORGERY AND COUNTERFEITING, TOTAL	2,818	2,877	2,124	1,810	2,128	17.6
TRANSPORTATION OF FORGED SECURITIES	365	242	218	200	200	-
POSTAL FORGERY	113	121	88	82	113	22.8
OTHER FORGERY	2,916	2,086	1,296	922	1,177	27.7
COUNTERFEITING	428	489	622	696	638	-7.0
SEX OFFENSES, TOTAL	167	139	180	152	135	-11.2
RAPE	107	98	102	104	78	-26.9
OTHER	60	41	78	48	57	22.9

TABLE C 2.—United States district courts: Civil cases commenced during the fiscal years 1968 and 1970 by basis of jurisdiction and nature of suit

Nature of suit	Fiscal year 1970 total	Fiscal year 1970					
		Total	United States cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases	77,193	87,821	18,810	11,665	94,940	33,854	4,886
Contract actions, total	14,961	17,187	8,811	793	4,969	7,783	737
Insurance	3,861	3,822	2	307	3	3,118	64
Marine	3,921	3,498	41	82	3,405		
Miller Act	783	918			918		
Negotiable instruments	3,867	3,971	3,439		3	640	91
Recovery of overpayments and enforcement of judgments	616	806	313			76	23
Stockholders suits and partnership dissolutions	65	78				70	8
Other contract actions	6,768	6,655	327	963	77	5,078	643
Real property actions, total	8,737	9,284	1,794	218	384	653	837
Condemnation of land	1,026	880	721	34	62	33	36
Easements	1,864	1,949	962		118	174	78
Rent, lease and ejectment	179	163	38	21		107	27
Torts to land	403	484	36	80	108	311	26
Other real property actions	471	658	34	81	8	123	171
Tort actions, total	34,718	35,932	198	1,979	7,188	14,447	1,610
Personal injury							
Airplane	620	644		87	34	635	8
Assault, libel and slander	841	878		19		633	126
Employers' Liability Act	1,253	1,272			1,272		
Marine	7,111	7,257		674	5,195	1,668	
Motor vehicle	6,564	9,393		144	16	7,621	663
Other personal injury	4,399	4,430		628	8	2,987	836
Personal property damage							
Fraud	419	644	118	14	101	970	41
Other personal property damage	1,077	1,192	64	253	686	263	22
Actions under statute, total	31,232	39,348	7,763	8,944	32,675		236
Antitrust	793	979	80	2	677		
Bankruptcy trustee suits	478	373		8	366		
Banks and banking	26	84		27	33		
Civil rights	3,453	9,864	139	213	8,086		
Commerce, (ICC rules, etc.)	680	1,182	114	91	927		
Narcotic Addict Rehabilitation Act	3,011	8,286	3,286				
Deportation	128	184		144			
Prisoner petitions							
Motions to vacate sentence	1,444	1,739		1,739			
Parole board review	178	267		232			23
Prison officials—Habeas corpus	9,732	10,563		1,800	8,943		190
Prison officials—Mandamus, etc.	2,870	3,348		624	2,653		71
Forfeiture and penalty suits							
Agricultural Acts	71	68	68				
Food and Drug Act	663	830	830				
Liquor laws	93	108	108				
Railroad and trucking regulations	66	70	70				
Air traffic regulations	94	67	67				
Other forfeiture and penalty suits	465	522	522				

TABLE C 2.—United States district courts. Civil cases commenced during the fiscal years 1969 and 1970 by basis of jurisdiction and nature of suit—Concluded

Nature of suit	Fiscal year 1970 total	Fiscal year 1970				
		Total	United States cases		Private cases	
			Plaintiff	Defendant	Federal question	Diversity of citizenship
Labor laws						
Fair Labor Standards Act	2,154	2,176	1,721	4	451	
Labor Management Relations Act	1,705	1,475	234	13	1,228	
Labor Management Reporting and Disclosure Act	113	121	41	3	77	
Railway Labor Act	155	155		4	151	
Other labor litigation	18	72	45	6	19	
Protected property rights						
Copyright	688	675			676	
Patent	890	1,028		47	976	
Trademark	418	452		3	451	
Securities, commodities and exchanges	708	1,211	119	1	1,091	
Social security laws	1,572	1,755		1,735		
Tax suits	1,453	1,590	184	1,350		40
Other statutory actions	950	1,893	430	615	147	
Other actions, total	2,580	2,313	26	34	207	19
Discretionary actions						
Domestic relations	750	798				756
Insolvency	616	630				590
Probate	145	126				126
Substitute trustee	52	23				23
State licensing and officers	405	355		6	350	44
Other	446	451	26	20	15	515

TABLE C2.—U.S. district courts. Civil cases commenced during the fiscal years 1970 and 1971 by basis of jurisdiction and nature of suit

Nature of suit	Fiscal year 1970 total	Fiscal year 1971					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal government	Diversity of citizenship	Local jurisdiction
Total cases.....	87,821	98,966	12,152	11,908	30,413	54,933	4,078
Contract actions, total.....	17,187	19,579	3,833	323	4,845	9,966	596
Indemnity on admiralty cases.....	80	80			35		
Insurance.....	2,622	3,782	4	180	9	2,518	62
Marine.....	8,426	8,685	97	80	5,468		
Miller Act.....	918	719			719		
Negotiable instruments.....	2,971	3,098	3,272	7	4	839	87
Recovery of overpayments and enforcement of judgments.....	803	880	363	2		108	16
Stockholders suits and partnership dissolutions.....	78	80				62	8
Other contract actions.....	8,868	8,979	717	588	130	6,018	118
Real property actions, total.....	8,294	8,099	3,013	173	387	718	848
Condemnation of land.....	680	861	787	31	65	18	80
Easements.....	1,842	1,966	1,127		308	178	142
Real, lease, and ejectment.....	142	219	31	34	1	187	42
Torts to land.....	484	530	84	43	139	299	20
Other real property actions.....	408	838	34	79	8	87	124
Tort actions, total.....	28,830	30,402	172	1,888	7,989	14,802	1,286
Personal injury.....							
Airplane.....	646	619		180	27	481	10
Assault, libel, and slander.....	879	688		39		463	148
Employers' Liability Act.....	1,272	1,868			1,868		
Marine.....	7,267	7,383		818	8,479	1,445	
Motor vehicle.....	9,805	10,779		892	10	7,874	694
Other personal injury.....	4,636	6,771		492	11	3,996	278
Personal property damage.....							
Fraud.....	644	990	88	38	269	491	46
Other personal property damage.....	1,182	1,094	77	179	841	294	28
Actions under statutes, total.....	26,845	42,780	1,086	8,066	38,664		221
Antitrust.....	939	1,546	84	6	1,462		
Bankruptcy trustee suits.....	274	336		6	391		
Banks and banking.....	56	52	3	14	41		
Civil rights.....	8,909	8,159	154	973	6,936		
Consumer (FTC) cases, etc.....	1,182	3,014	45	95	1,882		
Narcotic Addict Rehabilitation Act.....	8,299	2,738	2,728				
Deportation.....	144	112		518			
Prisoner petitions.....							
Motion to vacate sentence.....	1,729	1,886		1,886			
Fugitive heard review.....	267	320		302			4
Prison officials—discipline, etc.....	10,963	10,945		1,671	8,262		80
Prison officials—discipline, etc.....	1,193	1,361		699	771		81
Civil rights.....	2,196	8,129		214	2,611		4

TABLE C2—U.S. district courts. Civil cases commenced during the fiscal years 1970 and 1971 by basis of jurisdiction and nature of suit

Nature of suit	Fiscal year 1970 total	Fiscal year 1971					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Forfeiture and penalty suits							
Agricultural acts	55	88	88				
Food and Drug Act	860	808	808				
Liquor laws	108	61	61				
Railroad and trucking regulations	70	82	82				
Air traffic regulations	47	49	49				
Other forfeiture and penalty suits	822	993	993				
Labor laws							
Fair Labor Standards Act	2,179	2,182	1,088	2	64		
Labor Management Relations Act	1,479	2,101	386	22	1,841		
Labor-Management Reporting and Disclosure Act	121	118	89	4	78		
Railway Labor Act	184	218	2	4	300		
Warfare Pension Plan Disability Act	9	17			17		
Other labor litigation	63	82	4	10	18		
Protected property rights							
Copyright	675	632			632		
Patent	1,023	900	2	26	882		
Trademark	462	609			609		
Review or enforcement							
Securities, commodities, and exchange	226	271		271			
Selective Service Act	1,711	1,902	146	11	1,811		
Social security laws	447	886		886			
State reappointment suits	1,788	1,792		1,792			
Tax suits	61	26			26		
Other statutory actions	1,600	1,484	289	1,188	319		60
	678	960	218	248	319		
Other actions, total							
	2,212	2,086	27	62	361	8	1,616
Domestic relations							
Insanity	788	788					788
Probate	886	817					817
Subsistence benefits	126	182					182
Suits involving local officials	22	41					41
Other	826	608	1	6	227	6	88
	482	402	26	47	24	2	808

TABLE C 2.—U.S. district courts Civil cases commenced during the fiscal years 1971 and 1972 by basis of jurisdiction and nature of suit

Nature of suit	Fiscal year 1971 total	Fiscal year 1972					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases	93,896	96,178	14,324	12,805	61,847	24,199	3,788
Contract actions, total	18,878	18,977	3,063	953	4,982	9,990	829
Indemnity on admiralty cases	95	80			86		
Insurance	2,793	2,872	1	141	8	2,860	45
Marine	8,430	8,861	71	47	8,353		
Miller Act	718	872			872		
Negotiable instruments	2,996	3,305	2,814	3	8	944	40
Recovery of overpayments and enforcement of judgments	889	367	303			70	9
Stockholders suits and partnership dissolutions	80	42				36	4
Other contract actions	8,079	8,923	794	703	257	6,458	831
Real property actions, total	3,468	3,843	2,080	229	812	874	218
Condemnation of land	861	802	818	82	14	6	33
Foreclosure	1,648	1,921	1,423		193	190	113
Rent, lease, and ejectment	210	197	48	41		83	28
Torts to land	436	411	61	87	93	193	17
Other real property actions	823	622	47	109	12	127	127
Tort actions, total	26,466	34,012	183	1,780	7,873	18,965	901
Personal injury							
Airplane	618	729		187	36	810	14
Assault, libel, and slander	686	662		23		684	155
Employers' Liability Act	1,843	1,391			1,891		
Marine	7,287	6,834		149	6,969	1,418	
Motor vehicle	8,779	7,700		638	34	8,429	421
Other personal injury	4,771	6,028		618	22	4,123	367
Personal property damage							
Fraud	900	938	118	9	619	872	26
Other personal property damage	1,064	1,033	70	154	814	273	18
Actions under statutes, total	48,780	47,801	8,347	2,554	38,901		199
Antitrust	1,803	1,379	73	7	1,299		
Bankruptcy trustee suits	263	374		2	372		
Banks and banking	62	66	4	24	40		
Civil rights	3,136	6,133	187	619	6,447		
Commerce (ICC rates, etc.)	2,014	3,333	66	119	3,180		
Narcotic Addict Rehabilitation Act	2,728	2,830	2,830				
Economic Stabilization Act		278	218	67	109		
Deportation	119	170		170			
Prisoner petitions							
Motions to vacate sentence	1,386	1,093		1,993			
Parole board review	308	383		258			
Prison officials—Habeas corpus	10,043	9,817		1,898	7,868		61
Prison officials—Mandamus, etc.	1,841	1,478		750	704		72
Civil rights	8,179	8,900		382	8,543		8

TABLE D-2 CASES U S DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1978 THROUGH 1982

NATURE OF PROCEEDINGS AND OFFENSE	1978	1979	1980	1981	1982	PERCENT CHANGE 1982 OVER 1981 ¹
DRUG ABUSE PREVENTION AND CONTROL ACT, TOTAL ²	3,746	3,277	3,130	3,897	4,193	12.4
MARIJUANA	1,026	784	876	1,189	1,864	39.9
DRUGS	1,808	1,673	1,856	1,772	1,898	-4.2
CONTROLLED SUBSTANCES	1,116	820	799	736	831	12.9
MISCELLANEOUS GENERAL OFFENSES, TOTAL	8,468	8,704	7,240	8,416	8,787	4.1
BRIBERY	121	188	136	173	146	-16.2
DRUNK DRIVING AND TRAFFIC	4,454	5,448	4,598	5,231	5,188	-0.8
ESCAPE ³	1,076	1,095	832	819	819	-10.9
EXTORTION, RACKETEERING, AND THREATS	316	376	224	381	424	8.4
GAMBLING AND LOTTERY	60	48	51	26	38	38.5
KIDNAPPING	76	64	74	69	60	-1.7
PERJURY	138	152	114	80	142	67.8
WEAPONS AND FIREARMS	3,058	1,209	931	1,308	1,779	36.2
OTHER	169	154	180	221	164	-26.8
SPECIAL OFFENSES						
IMMIGRATION LAWS	1,734	1,869	1,821	1,829	1,803	-6.8
LIQUOR, INTERNAL REVENUE	100	41	26	30	20	-33.3
FEDERAL STATUTES, TOTAL	1,806	2,144	1,766	2,121	2,250	6.1
AGRICULTURAL ACTS	280	283	300	480	862	35.1
ANTITRUST VIOLATIONS	30	28	39	62	82	-
FOOD AND DRUG ACT	101	113	104	95	77	-19.0
MIGRATORY BIRD LAWS	28	76	89	69	90	16.9
MOTOR CARRIER ACT	70	90	72	82	87	6.1
NATIONAL DEFENSE LAWS	99	407	106	146	96	-33.8
CIVIL RIGHTS ⁴	82	81	79	70	62	-11.4
CONTEMPT	38	47	40	78	43	-43.4
CUSTOMS LAWS	99	114	100	96	99	-3.6
POSTAL LAWS	352	363	225	246	308	25.2
OTHER	717	543	802	670	694	3.6

¹PERCENT CHANGE IS COMPUTED ON 10 OR MORE CASES

²THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970 (PUBLIC LAW 91-513) BECAME EFFECTIVE MAY 1, 1971

³INCLUDES ESCAPE FROM CUSTODY, AIDING OR ABETTING AN ESCAPE, FAILURE TO APPEAR IN COURT AND BAIL JUMPING

⁴THESE INCLUDE CASES REMOVED FROM STATE COURTS UNDER PROVISION OF THE CIVIL RIGHTS ACT, 28 U.S.C. 1443

TABLE D-2 CASES, U.S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1981 THROUGH 1985

NATURE OF PROCEEDINGS AND OFFENSE	1981	1982	1983	1984	1985	PER- CENT CHANGE 1985 OVER 1984
TOTAL	30,413	31,765	34,928	35,911	38,548	7.3
PROCEEDINGS COMMENCED BY						
INDICTMENT	17,245	18,482	20,102	20,861	21,969	3.8
INFORMATION--INDICTMENT WAIVED	487	799	3,838	2,673	2,713	1.8
INFORMATION--OTHER	10,042	8,811	6,816	7,588	8,868	12.9
REMOVED FROM APPELLATE COURT	98	88	81	30	38	26.7
REMOVED FROM STATE COURT	22	18	22	19	30	57.9
REOPENED/REINSTATED	102	145	92	118	88	-42.4
APPEAL FROM U.S. MAGISTRATE	213	173	178	184	181	-2.0
JUVENILE DELINQUENCY PROCEEDINGS	82	93	101	148	103	-30.4
CONSENT BEFORE MAGISTRATE	2,071	3,045	3,810	4,080	5,013	23.8
RETRIAL ON MISTRIAL	18	51	79	80	78	-13.3
RETRIAL--REMAND FROM APPEALS COURT	35	82	138	189	117	-38.6
GENERAL OFFENSES						
HOMICIDE TOTAL	187	154	188	188	180	2.8
MURDER 1ST DEGREE	84	73	84	80	75	28.0
MURDER 2ND DEGREE	42	34	33	41	38	-7.3
MANSLAUGHTER	61	47	39	58	47	-14.8
ROBBERY, TOTAL	1,419	1,441	1,357	1,332	1,235	-7.3
BANK	1,318	1,338	1,245	1,249	1,182	-7.0
POSTAL	41	47	80	49	35	-28.6
OTHER	60	56	52	34	38	11.8
ASSAULT	859	884	852	825	853	8.3
BURGLARY--BREAKING AND ENTERING, TOTAL	124	142	184	165	188	1.8
BANK	5	8	74	37	34	-8.1
POSTAL	31	32	27	25	32	28.0
INTERSTATE SHIPMENTS	4	3	4	1	2	-
OTHER	84	89	79	92	90	-2.2

TABLE D-2 CASES, U. S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1981 THROUGH 1985

NATURE OF PROCEEDINGS AND OFFENSE	1981	1982	1983	1984	1985	PER- CENT CHANGE 1985 OVER 1984
LARCENY AND THEFT, TOTAL	3,042	2,892	3,409	3,389	3,576	5.6
BANK	136	186	172	199	247	24.1
POSTAL	520	531	572	494	603	1.8
INTERSTATE SHIPMENTS	307	258	262	230	199	-13.5
OTHER U.S. PROPERTY	1,182	1,063	1,467	1,607	1,739	8.2
TRANSPORTATION, ETC., OF STOLEN PROPERTY	288	340	408	373	333	-10.7
OTHER	632	636	628	486	564	14.0
EMBEZZLEMENT, TOTAL	1,835	2,084	2,107	1,807	1,929	6.7
BANK	1,017	1,054	1,131	978	955	-2.1
POSTAL	273	288	328	313	348	11.2
OTHER	545	742	650	519	625	20.4
FRAUD, TOTAL	4,749	4,726	5,598	5,845	5,989	2.5
INCOME TAX	1,224	1,055	860	1,084	1,159	6.8
LENDING INSTITUTION	471	487	472	499	559	12.0
POSTAL	934	952	1,134	1,344	1,449	7.8
VETERANS AND ALLOTMENTS	10	18	28	34	55	1.8
SECURITIES AND EXCHANGE	11	15	28	31	18	-41.9
SOCIAL SECURITY	331	225	266	248	236	-3.3
FALSE PERSONATION	41	45	39	48	37	-22.9
NATIONALITY LAWS	188	179	154	141	102	-27.7
PASSPORT FRAUD	72	78	84	108	78	-26.4
FALSE CLAIMS AND STATEMENTS	813	944	1,131	1,268	1,309	1.6
OTHER	658	733	1,314	1,025	989	-3.5
AUTO THEFT	305	375	354	288	299	3.8
FORGERY AND COUNTERFEITING, TOTAL	1,807	2,135	2,324	1,866	2,115	7.6
TRANSPORTATION OF FORGED SECURITIES	189	198	188	167	185	-7.2
POSTAL FORGERY	93	116	119	110	117	6.4
OTHER FORGERY	915	1,182	1,400	1,222	1,444	18.2
COUNTERFEITING	600	642	617	487	369	-14.6
SEX OFFENSES, TOTAL	162	136	141	163	266	63.2
RAPE	104	77	91	117	127	8.5
OTHER	48	59	50	46	139	2.2

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TABLE D-2 CASES, U. S. DISTRICT COURTS
CRIMINAL CASES COMMENCED BY MAJOR OFFENSE (EXCLUDES TRANSFERS) DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1981 THROUGH 1985

NATURE OF PROCEEDINGS AND OFFENSE	1981	1982	1983	1984	1985	PER- CENT CHANGE 1985 OVER 1981
DRUG ABUSE PREVENTION AND CONTROL ACT, TOTAL	3,732	4,218	5,068	5,609	6,693	19.3
MARIJUANA	1,202	1,874	2,031	2,102	2,220	8.6
NARCOTICS	1,787	1,703	2,188	2,744	3,689	30.1
CONTROLLED SUBSTANCES	743	841	881	783	804	18.6
MISCELLANEOUS GENERAL OFFENSES, TOTAL	8,421	8,779	9,931	10,656	11,661	9.4
BRIBERY	173	143	180	185	195	25.8
DRUNK DRIVING AND TRAFFIC	8,230	8,190	8,294	7,227	8,102	12.1
ESCAPE	818	820	805	805	782	-2.9
EXTORTION, RACKETEERING, AND THREATS	358	433	485	435	491	11.8
GAMBLING AND LOTTERY	28	38	31	41	26	-36.8
KIDNAPPING	89	82	82	77	83	-18.2
PERJURY	83	145	128	134	141	8.2
WEAPONS AND FIREARMS	1,304	1,788	1,730	1,870	1,869	-0.1
OTHER	222	184	118	108	192	77.8
SPECIAL OFFENSES						
IMMIGRATION LAWS	1,828	1,808	1,903	2,144	1,778	-17.1
LIQUOR, INTERNAL REVENUE	30	20	18	20	11	-45.0
FEDERAL STATUTES, TOTAL	2,123	2,271	1,808	1,856	2,128	14.8
AGRICULTURAL ACTS	491	665	288	258	413	80.1
ANTITRUST VIOLATIONS	83	82	74	77	80	-22.1
FOOD AND DRUG ACT	95	77	85	86	41	-26.8
MIGRATORY BIRD LAWS	89	80	111	87	84	-19.4
MOTOR CARRIER ACT	82	87	78	75	84	12.0
NATIONAL DEFENSE LAWS	144	97	84	114	78	-31.8
CIVIL RIGHTS	89	85	78	103	103	
CONTEMPT	78	43	42	69	85	-20.3
CUSTOMS LAWS	85	80	84	84	80	25.0
POSTAL LAWS	246	308	239	214	239	11.7
OTHER	873	707	887	759	818	20.9

1. PERCENT CHANGE IS COMPUTED ON 10 OR MORE CASES.
2. THE COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970 (PUBLIC LAW 91-613) BECAME EFFECTIVE MAY 1, 1971.
3. INCLUDES ESCAPE FROM CUSTODY, AIDING OR ABETTING AN ESCAPE, FAILURE TO APPEAR IN COURT AND BAIL JUMPING.
4. THESE INCLUDE CASES REMOVED FROM STATE COURTS UNDER PROVISION OF THE CIVIL RIGHTS ACT, 28 U.S.C. 1443.

TABLE C 2.—U.S. district courts. Civil cases commenced during the fiscal years 1971 and 1972 by basis of jurisdiction and nature of suit—Con.

Nature of suit	Fiscal year 1971 total	Fiscal year 1972				
		Total	U.S. courts		Proceedings	
			Federal	Dist. Ct.	Federal question	Domestic relations
Partnerships and personal estate						
Partnership suits	85	95	85			
Part and ship suits	808	844	844			
Liquidation suits	45	161	161			
Bancrupt and winding-up proceedings	23	25	25			
Air traffic regulations	43	72	72			
Other bankruptcy and personal estate	960	1,302	1,302			
Labor suits						
Fair Labor Standards Act	1,185	1,184	1,184	4	487	
Labor Management Relations Act	1,177	2,484	245	83	1,172	
Labor Management Reporting and Disclosure Act	118	147	85		136	
Railway Labor Act	118	180		1	180	
National Pension Plan Disability Act	17	16			16	
Other labor litigation	82	87		31	16	
Intellectual property rights						
Copyright	633	734			734	
Patent	400	650	1	27	607	
Trademark	608	679	8		672	
Review or enforcement						
Review of administrative	271	300		300		
Narcotics, Commodities and Exchange	1,485	1,919	183	14	1,722	
Narcotics Service Act	540	561		561		
Narcotics Service suits	1,707	2,200		1,200		
Narcotics Service suits	26	61			61	
Narcotics Service suits	1,484	1,484	265	1,179		48
Tax suits	660	762	215	321	224	
Other actions, various						
Other actions, total	1,956	2,120	28	60	279	15
Domestic relations						
Domestic relations	736	435				435
Domestic relations	217	272				272
Domestic relations	121	196				196
Domestic relations	41	18				18
Domestic relations	438	623		14	278	19
Domestic relations	472	618	76	60	26	11

TABLE C-2-1. *R districts totals. Final cases commenced during fiscal years 1976 and 1975 by base of jurisdiction and month of year*

Nature of suit	Fiscal year 1975 total	Fiscal year 1976					
		U.S. cases		Private cases			
		Total	Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases	85,173	86,590	12,861	12,938	42,261	35,261	2,309
Contract actions, total	15,877	14,496	2,872	872	4,184	10,801	888
Indemnity on admiralty cases	80	52			52		
Insurance	2,570	2,421	1	142	8	2,267	16
Marine	2,551	2,399	62	40	5,595		
Motor Act	972	958			558		
Negotiable instruments	6,256	6,074	2,288	1	8	780	37
Recovery of overpayments and adjustment of judgments	282	249	174	1		71	8
Stockholders suits and partnership dissolutions	42	60				58	2
Other contract actions	6,478	6,671	852	789	245	7,665	823
Real property actions, total	8,555	6,118	2,827	818	816	745	212
Condemnation of land	692	683	752	36	26	14	13
Eminent domain	1,271	2,072	1,586		145	710	78
Rents, leases, and easements	197	241	80	52			20
Torts to land	471	512	86	86	118	289	18
Other real property actions	422	490	50	164	25	175	87
Tort actions, total	26,912	23,176	176	1,729	6,633	18,916	481
Personal injury							
Airplane	720	665		187	36	422	1
Automobile, street, and water	462	486		44		582	84
Expenses—Liability Act	1,861	1,194			1,184		
Marine	6,484	6,480		100	4,376	1,754	
Motor vehicle	7,700	7,871	1	636	31	6,564	186
Other personal injury	6,228	5,142		668	23	4,857	147
Personal property damage							
Fire	463	1,873	101	14	742	489	14
Other personal property damage	1,382	1,101	74	177	678	256	14
Arbitration awards, total	47,561	49,630	7,795	10,530	21,595		78
Arbitration	1,875	1,208	48	4	1,152		
Bankruptcy trustee suits	894	814	1	8	815		
Boats and boating	89	111	11	41	36		
Civil rights	6,183	5,679	276	712	4,691		
Consumers (CCC cases, etc.)	2,483	2,841	107	107	6,127		
Consumer Affairs, Rehabilitation Act	1,580	1,718	1,718				
Consumer Rehabilitation Act	179	282	182	54	87		
Depositions	179	271		271			
Provision petitions	1,961	1,720		1,720			
Matters to resolve services	383	469		469			8
Private health services	6,617	6,078		1,264	7,777		7
Private officials—municipal, etc.	1,476	1,381		889	714		8
Civil rights	2,800	4,486		414	4,172		1
Performance and security suits							
Agricultural suits	34	50	50				
Fuel and drug act	344	1,108	1,108				
Liability suits	181	180	180				
Revised and existing regulations	38	51	51				
Air traffic regulations	72	105	105				
Other liabilities and security suits	1,907	1,624	1,624				
Labor suits							
Fair Labor Standards Act	2,146	1,840	1,840	7	676		
Labor Management Relations Act	2,624	2,784	285	41	3,459		
Labor Management Reporting and Disclosure Act	147	128	28	2	88		
National Labor Act	181	85		8	81		
National Labor Fair Practices Act	14	14			14		
Other labor litigation	37	57	57	39	18		
Personal property rights							
Copyright	784	699			699		
Patent	864	638	1	30	766		
Trademark	619	664			664		
Revenue or inheritance	389	46		46			
Revenue, inheritance, and royalties	1,619	1,499	144	13	1,826		
Revenue Service Act	81	42		42			
Revenue Security Act	2,586	2,447		1,447			
Revenue Security suits	61	35		35			
Revenue Security suits	1,444	1,377	361	1,367			87
Other revenue suits	782	1,311	694	786	828		
Other actions, total	2,180	1,724	80	89	602	19	1,614
Domestic relations							
Divorce	639	1,014					1,014
Domestic	273	94					94
Domestic	197	142					142
Domestic relations	19	18					18
Domestic relations suits	822	422					422
Other	418	273	80	30	30	1	180

TABLE C-2.—U.S. district courts, civil cases commenced, by basis of jurisdiction and nature of suit, fiscal years 1973 and 1974

Nature of suit	Fiscal year 1973 total	Fiscal year 1974					
		U.S. cases			Private cases		
		Total	Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases.....	98,560	103,530	11,667	15,918	40,707	26,963	2,185
Contract actions, total.....	19,468	19,426	2,508	849	3,905	11,703	373
Insurance.....	2,421	2,288	1	103	4	2,174	4
Marine.....	3,440	3,195	48	35	3,114		
Miller Act.....	553	648			648		
Negotiable Instruments.....	3,074	2,410	1,824	5		741	60
Recovery of overpayments and enforcement of judgments.....	249	294	180	2		131	1
Other contract actions.....	9,731	10,595	675	704	141	8,747	328
Real property actions, total.....	4,113	3,008	3,232	322	465	830	249
Condemnation of land.....	835	917	833	24	38	8	14
Foreclosure.....	2,025	2,933	2,905		274	291	158
Rent lease and ejectment.....	242	278	78	38		148	18
Torts to land.....	512	448	53	59	130	194	8
Other real property actions.....	499	517	65	201	17	189	45
Total actions, total.....	23,105	24,231	191	1,853	7,595	14,336	256
Personal Injury:							
Airplane.....	656	738		125	70	539	4
Assault, libel, and slander.....	608	650		66	27	539	18
Employers' Liability Act.....	1,184	1,302			1,302		
Marine.....	5,630	5,236		75	3,947	1,214	
Motor vehicle.....	7,371	7,398		635	24	6,941	98
Other personal injury.....	5,142	5,240		716	31	4,363	100
Personal property damage:							
Fraud.....	1,373	2,373	118	35	1,662	522	16
Other personal property damage.....	1,101	1,304	73	201	612	488	20
Actions under statutes, total.....	49,950	52,960	5,712	12,874	34,319		33
Antitrust.....	1,206	1,270	31	9	1,230		
Bankruptcy trustee suits.....	514	356		6	350		
Banks and banking.....	111	156	5	60	101		
Civil rights.....	7,679	8,443	248	901	7,294		
Commerce (ICC rates, etc.).....	3,341	3,925	131	111	3,683		
Narcotic Addict Rehabilitation Act.....	1,716	515	515				
Economic Stabilization Act.....	283	175	38	71	66		

TABLE C-2.—U.S. district courts, civil cases commenced, by basis of jurisdiction and nature of suit, fiscal years 1973 and 1974—Continued

Nature of suit	Fiscal year 1973 total	Fiscal year 1974					
		U.S. cases			Private cases		
		Total	Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Deportation.....	271	412		412			
Prisoner petitions:							
Motions to vacate sentence.....	1,722	1,822		1,822			
Parole board review.....	480	871		871			
Prison officials—habeas corpus.....	2,078	9,344		1,718	7,618		8
Prison officials—mandamus, etc.....	1,361	1,192		631	559		2
Civil rights.....	4,588	5,681		445	5,236		
Forfeiture and penalty suits:							
Agricultural acts.....	70	71	71				
Food and Drug Act.....	1,108	462	462				
Liquor laws.....	100	87	87				
Railroad and trucking regulations.....	21	15	15				
Air traffic regulations.....	102	92	92				
Other forfeiture and penalty suits.....	1,535	1,284	1,284				
Labor laws:							
Fair Labor Standards Act.....	1,840	1,898	1,805	9	884		
Labor Management Relations Act.....	2,734	3,061	227	39	2,785		
Labor Management Reporting and disclosure Act.....	123	149	50	8	91		
Railway Labor Act.....	96	114		2	112		
Other labor litigation.....	68	186	54	64	70		
Protected property rights:							
Copyright.....	886	662			663		
Patent.....	826	782	1	21	760		
Trademark.....	644	619			619		
Securities, commodities, and exchanges:							
Selective Service Act.....	1,000	2,378	135	19	2,204		
Social security laws.....	82	7		7			
State reappportionment suits.....	2,497	3,585		3,585			
Tax suits.....	25	33			33		
Other statutory actions.....	1,577	1,917	458	1,414			45
Other statutory actions.....	1,577	1,633	333	1,169	441		
Other actions, total.....	1,924	1,815	26	20	518	4	1,252
Domestic relations.....	1,014	1,007					1,007
Insanity.....	55	14					14
Probate.....	143	128					128
Substitute trustee.....	18	3					3
Suits involving local officials.....	472	532		8	499	4	21
Other.....	272	134	26	12	14		79

TABLE C-2.—U.S. district courts, civil cases commenced, by basis of jurisdiction and nature of suit, fiscal years 1974 and 1975

Nature of suit	Fiscal year 1974 total	Fiscal year 1975					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases	108,880	117,820	12,742	19,087	52,980	30,421	2,222
Contract actions, total	19,426	22,908	2,430	991	6,749	14,448	302
Insurance	2,286	2,944		84	10	2,560	14
Marine	3,100	3,082	30	29	3,560		
Miller Act	646	1,087			1,087		
Negotiable instruments	2,410	2,490	1,282	19	2	1,194	53
Recovery of overpayments and enforcement of judgments	204	891	864	131		184	3
Other contract actions	10,960	13,991	796	736	99	10,515	238
Real property actions, total	8,098	6,486	4,150	423	696	1,170	238
Condemnation of land	917	1,891	1,300	57	42	12	5
Ejectment	2,988	3,948	2,365		236	316	180
Rest, lease, and ejectment	278	479	359	49		309	13
Torts to land	440	556	54	70	133	243	6
Other real property actions	517	528	30	386	13	190	25
Tort actions, total	24,231	23,691	177	2,184	8,140	15,006	179
Personal injury							
Airplane	720	1,083		177	46	960	
Assault, libel, and slander	600	824		84	23	794	13
Employers' Liability Act	1,202	1,248			1,248		
Marine	3,280	3,410		115	3,929	1,366	
Motor vehicle	7,896	8,794		673	27	8,096	64
Other personal injury	3,260	3,987		819	39	4,988	65
Personal property damage							
Fraud	2,873	3,080	113	83	2,287	540	4
Other personal property damage	1,364	1,584	65	232	681	526	43
Actions under statutes, total	52,980	60,081	8,939	15,440	38,650		35
Antitrust	1,270	1,431	64	12	1,273		
Bankruptcy trustee suits	336	366		5	360		
Banks and banking	136	183	23	43	113		
Civil rights	8,443	10,897	387	1,080	9,087		
Commerce (ICC rates, etc.)	3,025	4,043	196	77	3,769		
Narcotic Addict Rehabilitation Act	315	278	274				
Economic Stabilization Act	173	90	11	17	32		
Deportation	412	388		386			
Prisoner petitions							
Motions to vacate sentence	1,822	1,995		1,995			
Parole board review	371	602		302			
Prison officials—bribe corpus	9,344	9,325		1,962	7,096		5
Prison officials—mandamus, etc.	1,192	824		583	287		2
Civil rights	5,081	6,006		478	6,128		
Permittees and penalty suits							
Agricultural acts	71	86	86				
Food and Drug Act	442	498	498				
Liquor laws	37	39	39				
Railroad and trucking regulations	13	13	13				
Air traffic regulations	92	119	119				
Occupational Safety and Health Act	136	136	136				
Other arbitrators and penalty suits	1,264	1,584	1,584				
Labor laws							
Fair Labor Standards Act	1,980	1,838	1,816	13	608		
Labor Management Relations Act	3,081	3,960	326	60	3,600		
Labor Management Reporting and Disclosure Act	149	313	32	5	160		
Railway Labor Act	114	149		5	144		
Other labor litigation	188	484	158	86	267		
Protected property rights							
Copyright	983	758			758		
Patent	783	849		33	827		
Trademark	819	874		1	873		
Securities, commodities, and exchanges	3,378	3,638	189	18	2,300		
Selective Service Act	7	1			1		
Social security laws	3,386	3,946			3,946		
State reaperment suits	33	19			19		
Tax suits	1,917	1,999	381	1,363			36
Other statutory actions	1,980	3,267	385	1,439	443		
Other actions, total	1,815	3,185	66	47	860	13	1,478
Domestic relations	1,007	1,180					1,180
Insolvency	14	60					60
Prisons	138	179					179
Suits involving local officials	382	386	1	15	367	19	8
Other	184	295	86	32	28	2	118

TABLE C-2.—U.S. district courts, civil cases commenced, by basis of jurisdiction and nature of suit, fiscal years 1975 and 1976

Nature of suit	Fiscal year 1976 total	Fiscal year 1976					
		Total	U.S. cases		Private cases		
			Plaintiff	Defendant	Federal question	Diversity of citizenship	Local jurisdiction
Total cases	117,320	130,597	16,599	24,265	56,823	31,875	2,335
Contract actions, total	22,906	24,000	2,167	1,199	6,152	16,310	182
Insurance	2,844	3,185	9	45	37	3,081	13
Marine	3,862	4,060	38	21	3,995	8	1
Miller Act	1,037	965			955		
Negotiable instruments	2,490	2,240	837	23	37	1,190	82
Recovery of overpayments and enforcement of judgments	681	1,087	401	462	5	231	1
Stockholders suits and partnership dissolutions							
Other contract actions	12,390	12,473	773	668	136	10,805	114
Real property actions, total	6,456	8,475	6,218	480	584	1,021	192
Condemnation of land	1,291	3,037	2,968	30	44	13	2
Eminent domain	3,546	3,683	2,881		264	384	144
Rent, lease, and ejectment	470	399	307	30		182	10
Torts to land	856	847	42	68	211	206	1
Other real property actions	825	809	110	343	65	287	35
Tort actions, total	25,691	25,736	204	2,100	7,901	15,344	187
Personal injury							
Airplane	1,083	980		142	49	778	1
Assault, libel, and slander	824	862		70	19	766	6
Employers' Liability Act	1,243	1,329			1,329		
Marine	5,410	4,170	1	136	3,732	1,201	
Motor vehicle	6,794	6,066	1	613	40	5,331	63
Other personal injury	8,867	6,793		901	84	8,787	91
Personal property damage							
Fraud	2,936	2,897	137	30	2,147	871	2
Other personal property damage	1,534	1,647	66	208	801	811	12
Actions under statutes, total	60,051	70,371	7,001	20,496	42,817		37
Antitrust	1,431	1,656	43	8	1,804		
Bankruptcy trustee suits	295	518		4	814		
Bank and banking	163	268	138	48	112		
Civil rights	10,392	12,329	466	1,276	10,585		
Commerce (ICC rules, etc.)	4,042	4,296	364	19	4,113		
Narcotic Addict Rehabilitation Act	276	150	150				
Economic Stabilization Act	60	30	4	3	23		
Environmental matters	406	499	240	200	86		
Deportation	386	291		291			
Prisoner petitions							
Motions to vacate sentence	1,890	1,692		1,693			
Parole board review	862	638		538			
Prison officials - habeas corpus	9,825	9,234		1,421	7,817		16
Prison officials - mandamus, etc.	824	864		836	238		
Civil rights	6,836	7,460		807	6,958		
Forfeiture and penalty suits							
Agricultural acts	89	65	85				
Food and Drug Act	496	452	462				
Liquor laws	26	24	24				
Railroad and trucking regulations	13	13					
Air traffic regulations	116	114	114				
Occupational Safety and Health Act	139	310	310				
Other forfeiture and penalty suits	1,564	1,808	1,808				
Labor Laws							
Fair Labor Standards Act	1,836	2,014	1,401	17	696		
Labor Management Relations Act	3,850	4,082	182	45	3,865		
Labor Management Reporting and Disclosure Act	218	222	35	4	183		
Railway Labor Act	149	140		8	134		
Other labor litigation	464	1,276	429	104	742		
Protected property rights							
Copyright	753	899			899		
Patent	849	921		28	893		
Trademark	674	812			812		
Review or enforcement							
Securities, commodities, and exchanges	2,438	2,330	179	8	2,042		
Selective Service Act	1	4		4			
Social security laws	5,846	10,366		10,364	1		
Black lung cases	2,793	4,908		4,907	1		
Other	3,053	8,447		8,447			
State reaperment suits	19	33			33		
Tax suits	1,899	1,849	811	1,297			41
Other statutory actions	1,861	3,073	380	1,999	894		
Other actions, total	2,185	2,016	19	10	388		1,817
Domestic relations	1,130	1,186					1,186
Insanity	40	18					18
Probate	176	180					180
Suits involving local officials	899	372	1	7	363		1
Other	340	358	18	3	8		321

TABLE C 2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED BY BASIS OF JURISDICTION AND NATURE OF SUIT
FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1976 AND 1977

NATURE OF SUIT	1976	TOTAL	1977				
			U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	130,597	130,567	16,320	23,690	57,011	31,676	1,668
CONTRACT ACTIONS, TOTAL	23,998	23,907	2,836	1,006	4,812	15,116	137
INSURANCE	3,184	3,293	11	64	22	3,191	8
MARINE	4,060	3,757	40	39	3,678	-	-
MILLER ACT	955	1,009	-	-	4,009	-	-
NEGOTIABLE INSTRUMENTS	2,240	2,355	1,349	25	18	942	21
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	1,081	865	362	291	1	211	-
OTHER CONTRACT ACTIONS	12,472	12,628	1,074	547	84	10,772	111
REAL PROPERTY ACTIONS, TOTAL	8,475	8,387	6,342	415	424	1,065	141
CONDEMNATION OF LAND	3,037	3,801	2,730	30	28	12	1
FORECLOSURE	3,683	3,979	3,271	-	193	397	118
RENT, LEASE, AND EJECTMENT	299	325	174	29	-	118	4
TORTS TO LAND	547	455	35	49	160	296	8
OTHER REAL PROPERTY ACTIONS	809	827	132	307	43	332	13
TORT ACTIONS, TOTAL	25,734	26,029	159	2,137	8,091	15,493	239
PERSONAL INJURY	580	824	-	151	39	605	39
AIRPLANE	862	753	-	82	19	688	4
ASSAULT, LIBEL, AND SLANDER	1,329	1,308	-	-	1,308	-	-
EMPLOYERS' LIABILITY ACT	5,170	5,051	-	106	3,770	1,180	-
MARINE	6,068	6,036	-	548	30	5,346	74
MOTOR VEHICLE	613	437	-	120	-	317	-
MEDICAL MALPRACTICE	6,160	7,053	-	901	49	5,989	114
OTHER PERSONAL INJURY	2,867	2,847	108	30	2,183	520	6
PERSONAL PROPERTY DAMAGE	1,647	1,747	81	201	848	848	13
FRAUD INCLUDING TRUTH IN LENDING	70,372	70,694	6,956	20,174	43,527	-	37
OTHER PERSONAL PROPERTY DAMAGE	1,555	1,658	38	8	1,611	-	-
ACTIONS UNDER STATUTES, TOTAL	518	484	-	5	479	-	-
ANTITRUST	-	27	-	-	-	-	-
BANKRUPTCY SUITS	-	1,257	-	13	1,244	-	-
TRUSTS	288	167	19	26	122	-	-
TRANSFER (915B)	176	203	15	9	179	-	-
APPEAL (801)	5,321	5,931	246	592	5,093	-	-
BANKS AND BANKING	531	442	47	12	383	-	-
CIVIL RIGHTS	222	219	-	58	161	-	-
VOTING	4,079	6,318	39	766	5,513	-	-
JOBS	4,396	2,549	139	13	2,398	-	-
ACCOMMODATIONS	150	113	113	6	21	-	-
WELFARE	30	30	30	-	-	-	-
OTHER CIVIL RIGHTS	499	480	234	190	56	-	-
CONSUMER (ICC RATES, ETC.)	291	292	1	291	-	-	-
NARCOTIC ADDICT REHABILITATION ACT	1,693	1,921	-	1,921	-	-	-
ECONOMIC STABILIZATION ACT	530	237	-	237	-	-	-
ENVIRONMENTAL MATTERS	9,254	8,374	-	1,508	6,862	-	4
DEPORTATION	864	770	-	542	227	-	1
PRISONER PETITIONS	7,460	8,335	-	483	7,750	-	2
NOTIONS TO VACATE SENTENCE	65	75	75	-	-	-	-
PAROLE COMMISSION REVIEW	452	608	608	-	-	-	-
PRISON OFFICIALS - MANDAMUS CORPUS	24	8	8	-	-	-	-
PRISON OFFICIALS - MANDAMUS, ETC.	13	23	23	-	-	-	-
CIVIL RIGHTS	114	73	73	-	-	-	-
FORFEITURE AND PENALTY	210	297	297	-	-	-	-
AGRICULTURAL ACTS	1,009	1,771	1,771	-	-	-	-
FOOD AND DRUG ACT	65	75	75	-	-	-	-
LIQUOR LAWS	452	608	608	-	-	-	-
RAILROAD AND TRUCKING REGULATIONS	24	8	8	-	-	-	-
AIR TRAFFIC REGULATIONS	13	23	23	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	114	73	73	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	210	297	297	-	-	-	-
LABOR LAWS	2,018	1,990	1,338	40	594	-	-
FAIR LABOR STANDARDS ACT	4,092	3,957	338	91	3,694	-	-
LABOR MANAGEMENT RELATIONS ACT	232	309	84	3	180	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	140	147	1	4	142	-	-
RAILWAY LABOR ACT	1,275	1,438	249	109	1,078	-	-
OTHER LABOR LITIGATION	899	1,153	-	-	1,153	-	-
PROTECTED PROPERTY RIGHTS	921	893	-	17	876	-	-
COPYRIGHT	812	1,025	-	-	1,025	-	-
PATENT	2,320	1,960	192	31	1,747	-	-
TRADEMARK	4,908	2,365	-	2,365	-	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	8,447	7,730	-	7,730	-	-	-
SOCIAL SECURITY LAWS	83	19	-	-	19	-	-
BLACK LUNG CASES	1,849	1,861	898	1,254	-	-	90
STATE REAPPORTIONMENT SUITS	3,078	3,342	451	1,899	892	-	-
TAX SUITS	2,018	1,990	27	158	247	4	1,114
OTHER STATUTORY ACTIONS	1,188	739	-	-	-	-	739
OTHER ACTIONS, TOTAL	18	77	-	-	-	-	77
DOMESTIC RELATIONS	187	108	-	-	-	-	108
INJUNCTION	373	235	1	12	237	3	3
PROBATE	358	384	28	148	10	2	205
SUITS INVOLVING LOCAL OFFICIALS	-	-	-	-	-	-	-
OTHER	-	-	-	-	-	-	-

TABLE C 2 U.S. DISTRICT COURTS
CIVIL CASES COMMENCED BY BASIS OF JURISDICTION AND NATURE OF SUIT
FOR THE TWELVE MONTH PERIODS ENDING JUNE 30, 1977 AND 1978

NATURE OF SUIT	1977	TOTAL	1978				
			U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	130,567	138,770	22,534	24,277	59,271	31,625	1,063
CONTRACT ACTIONS, TOTAL	23,907	25,728	4,400	903	5,071	15,224	130
INSURANCE	3,293	3,265	9	65	29	3,153	9
MARINE	3,757	4,013	41	28	3,943	-	1
MILLER ACT	1,099	971	-	-	971	-	-
NEGOTIABLE INSTRUMENTS	2,355	2,195	1,194	19	11	901	14
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	865	1,856	1,506	173	8	172	1
OTHER CONTRACT ACTIONS	12,628	12,484	1,650	618	113	10,998	195
REAL PROPERTY ACTIONS, TOTAL	8,387	12,781	10,429	451	914	927	60
CONDEMNATION OF LAND	2,801	7,021	6,906	68	34	5	9
FORFEITURE	3,979	4,159	3,189	-	688	238	34
RENT, LEASE, AND EJECTMENT	325	334	186	20	-	120	6
TORTS TO LAND	455	462	37	59	130	234	2
OTHER REAL PROPERTY ACTIONS	827	805	99	304	62	331	9
TORT ACTIONS, TOTAL	28,029	26,375	200	2,437	8,027	15,471	240
PERSONAL INJURY							
AIRPLANE	824	975	-	136	167	660	12
ASSAULT, LIBEL, AND SLANDER	753	692	-	51	31	600	10
EMPLOYERS' LIABILITY ACT	1,306	1,494	-	-	1,494	-	-
MARINE	1,056	4,843	-	112	3,746	984	1
MOTOR VEHICLE	9,036	5,839	-	540	35	5,169	92
MEDICAL MALPRACTICE	437	385	-	100	-	283	2
OTHER PERSONAL INJURY	7,053	7,718	-	1,243	59	6,309	107
PERSONAL PROPERTY DAMAGE							
FRAUD INCLUDING TRUTH IN LENDING	2,847	2,675	146	21	1,957	546	5
OTHER PERSONAL PROPERTY DAMAGE	1,717	1,754	54	234	535	920	11
ACTIONS UNDER STATUTES, TOTAL	70,647	73,034	7,498	20,461	45,028	-	47
ANTITRUST	1,658	1,477	32	10	1,435	-	-
BANKRUPTCY SUITS							
TRUSTEE	484	418	-	6	410	-	-
TRANSFER (915B)	57	62	-	-	62	-	-
APPEAL (901)	1,257	1,232	2	16	1,214	-	-
BANKS AND BANKING	167	149	16	37	96	-	-
CIVIL RIGHTS							
VOTING	203	139	11	5	123	-	-
JOBS	5,931	5,504	161	493	4,850	-	-
ACCOMMODATIONS	442	497	24	22	451	-	-
WELFARE	219	214	-	43	171	-	-
OTHER CIVIL RIGHTS	6,318	6,475	27	742	5,706	-	-
COMMERCIAL (ICC RATES, ETC.)	2,549	2,365	157	20	2,188	-	-
NARCOTIC ADDICT REHABILITATION ACT	113	74	74	-	-	-	-
ECONOMIC STABILIZATION ACT	30	40	6	16	16	-	-
ENVIRONMENTAL MATTERS	480	519	236	218	65	-	-
DEPORTATION	292	163	-	163	-	-	-
PRISONER PETITIONS							
MOTIONS TO VACATE SENTENCE	1,921	1,924	-	1,924	-	-	-
PAROLE COMMISSION REVIEW	237	121	-	121	-	-	-
PRISON OFFICIALS - MARIANUS CORFUS	8,374	8,763	-	1,730	7,019	-	14
PRISON OFFICIALS - MANDAMUS, ETC.	770	750	-	544	203	-	3
CIVIL RIGHTS	8,235	10,366	-	636	9,730	-	-
FORFEITURE AND PENALTY							
AGRICULTURAL ACTS	75	82	82	-	-	-	-
FOOD AND DRUG ACT	608	522	522	-	-	-	-
LIQUOR LAWS	8	9	9	-	-	-	-
RAILROAD AND TRUCKING REGULATIONS	22	6	6	-	-	-	-
AIR TRAFFIC REGULATIONS	73	46	46	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	297	389	389	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	1,771	1,934	1,934	-	-	-	-
LABOR LAWS							
FAIR LABOR STANDARDS ACT	1,990	1,678	1,160	29	489	-	-
LABOR MANAGEMENT RELATIONS ACT	3,957	3,812	224	44	3,544	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	209	194	41	6	147	-	-
RAILWAY LABOR ACT	147	134	-	5	129	-	-
OTHER LABOR LITIGATION	1,436	1,643	227	144	1,272	-	-
PROTECTED PROPERTY RIGHTS							
COPYRIGHT	1,153	1,174	-	1	1,173	-	-
PATENT	893	904	-	20	884	-	-
TRADEMARK	1,025	1,187	-	-	1,187	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	1,960	1,703	164	23	1,516	-	-
SOCIAL SECURITY LAWS							
BLACK LUNG CASES	2,365	883	-	883	-	-	-
OTHER	7,730	9,067	-	9,067	-	-	-
STATE REAPPORTIONMENT SUITS	15	6	-	-	6	-	-
TAX SUITS	1,992	2,669	1,450	1,189	-	-	30
FREEDOM OF INFORMATION ACT OF 1974	142	532	2	507	23	-	-
OTHER STATUTORY ACTIONS	3,242	3,208	496	1,793	919	-	-
OTHER ACTIONS, TOTAL	1,597	852	7	25	231	3	586
DOMESTIC RELATIONS							
INSANITY	729	304	-	-	-	-	304
PROBATE	77	101	-	-	-	-	101
SUITS INVOLVING LOCAL OFFICIALS	105	28	-	-	-	-	28
OTHER	255	259	2	25	229	2	1
	231	160	5	-	2	1	152

TABLE C U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1978 AND 1979

NATURE OF SUIT	1978	TOTAL	1979			
			U.S. CASES		PRIVATE CASES	
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	LOCAL JURISDICTION
TOTAL CASES	138,770	154,888	31,003	24,837	83,321	1,114
CONTRACT ACTIONS, TOTAL	35,738	38,898	13,848	723	8,958	89
INSURANCE	3,265	3,343	18	78	28	8
MARINE	4,013	4,881	30	22	4,829	-
KILLER ACT	971	888	-	-	888	-
NEGOTIABLE INSTRUMENTS	2,139	3,266	1,399	12	8	835
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	1,858	9,254	9,010	30	4	208
OTHER CONTRACT ACTIONS	13,484	16,486	3,393	580	101	12,325
REAL PROPERTY ACTIONS, TOTAL	12,781	11,878	8,753	873	1,488	47
CONDEMNATION OF LAND	7,031	8,599	8,275	176	142	8
FORECLOSURE	4,159	4,711	3,238	-	1,181	281
RENT, LEASE, AND EJECTMENT	334	373	109	18	-	141
TORTS TO LAND	483	484	34	84	167	208
OTHER REAL PROPERTY ACTIONS	805	829	97	328	19	381
TORT ACTIONS, TOTAL	38,375	38,901	184	3,350	8,353	248
PERSONAL INJURY:						
AIRPLANE	975	1,251	-	104	38	1,079
ASSAULT, LIBEL, AND SLANDER	892	827	-	98	23	841
EMPLOYER'S LIABILITY ACT	1,494	1,840	-	-	1,840	-
MARINE	4,843	4,808	-	180	3,715	1,025
MOTOR VEHICLE	8,839	8,891	-	829	8	8,370
MEDICAL MALPRACTICE	385	800	-	168	-	330
OTHER PERSONAL INJURY	7,718	9,162	-	1,987	74	8,899
PERSONAL PROPERTY DAMAGE	2,975	2,980	110	18	2,340	508
FRAUD INCLUDING TRUTH IN LENDING	1,754	1,965	54	252	595	1,036
OTHER PERSONAL PROPERTY DAMAGE						
ACTIONS UNDER STATUTES, TOTAL	78,034	78,067	8,338	20,288	47,512	53
ANTITRUST	1,477	1,284	41	9	1,234	-
BANKRUPTCY SUITS	418	238	-	-	238	-
TRUSTS (§158)	82	119	-	1	118	-
APPEAL (801)	1,232	1,374	7	19	1,348	-
BANKS AND BANKING	149	171	18	29	128	-
CIVIL RIGHTS	139	145	13	7	125	-
VOTING	8,504	5,477	308	485	4,804	-
JOBS	497	434	32	13	389	-
ACCOMMODATIONS	214	195	-	35	160	-
WELFARE	6,478	6,917	38	702	6,178	-
OTHER CIVIL RIGHTS	2,385	1,395	85	16	1,284	-
COMMERCE (ICC RATES, ETC.)	74	8	8	-	-	-
HARCOTTIC ADDICT REHABILITATION ACT	40	50	13	18	17	-
ECONOMIC STABILIZATION ACT	819	859	248	214	89	-
ENVIRONMENTAL MATTERS	183	141	-	141	-	-
DEPORTATION	1,924	1,907	-	1,907	-	-
PRISONER PETITIONS	121	87	-	87	-	-
NOTIONS TO VACATE SENTENCE	8,763	8,700	-	1,577	7,113	-
PAROLE COMMISSION REVIEW	780	824	-	340	183	-
PRISON OFFICIALS - BARRACKS, ETC.	10,388	11,783	-	588	11,194	-
CIVIL RIGHTS						
FORFEITURE AND PENALTY:						
AGRICULTURAL ACTS	82	38	38	-	-	-
FOOD AND DRUG ACT	822	477	477	-	-	-
LIQUOR LAWS	9	-	-	-	-	-
RAILROAD AND TRUCKING REGULATIONS	6	8	8	-	-	-
AIR TRAFFIC REGULATIONS	48	82	82	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	389	260	260	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	1,934	1,944	1,944	-	-	-
LABOR LAWS						
FAIR LABOR STANDARDS ACT	1,678	1,706	1,148	28	532	-
LABOR MANAGEMENT RELATIONS ACT	3,812	4,119	388	66	3,787	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	184	251	88	5	178	-
RAILWAY LABOR ACT	134	251	3	2	228	-
OTHER LABOR LITIGATION	1,843	3,097	306	128	1,663	-
PROTECTED PROPERTY RIGHTS						
COPYRIGHT	1,174	1,144	-	-	1,144	-
PATENT	904	829	-	21	808	-
TRADEMARK	1,187	1,401	-	-	1,401	-
SECURITIES, COMMODITIES, AND EXCHANGES	1,703	1,589	153	18	1,420	-
SOCIAL SECURITY LAWS						
BLACK LUNG CASES	883	328	-	328	-	-
OTHER (SEE TEXT FOR DETAILED ANALYSIS)	9,067	9,416	-	9,416	-	-
STATE REAPPORTIONMENT SUITS	3,889	8,819	2,308	1,295	-	19
TAX SUITS	-	8	-	8	-	-
CUSTOMER CHALLENGE	832	827	-	807	20	-
FREEZING OF INFORMATION ACT OF 1974	8,308	4,318	802	2,002	1,713	-
OTHER STATUTORY ACTIONS						
OTHER ACTIONS, TOTAL	883	934	2	6	314	3
DOMESTIC RELATIONS	304	289	-	-	-	289
INSOLVENCY	101	118	-	-	-	118
PROBATE	28	29	-	-	-	29
SUITS INVOLVING LOCAL OFFICIALS	289	223	1	9	214	9
OTHER	180	287	1	1	-	285

TABLE C 2. U.S. DISTRICT COURTS
 CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
 FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1979 AND 1980

NATURE OF SUIT	1979	TOTAL	1980				
			U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	154,666	168,789	35,810	23,818	64,928	39,315	918
CONTRACT ACTIONS, TOTAL	36,898	49,052	23,369	694	5,644	19,232	113
INSURANCE	3,343	3,733	7	44	30	3,640	12
MARINE	4,681	4,762	18	26	4,711	-	7
MILLER ACT	886	799	-	-	799	-	-
NEGOTIABLE INSTRUMENTS	2,266	4,072	3,065	20	17	966	4
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	9,254	15,588	15,423	21	5	139	-
OTHER CONTRACT ACTIONS	16,468	20,098	4,856	583	82	14,487	90
REAL PROPERTY ACTIONS, TOTAL	11,876	11,067	7,662	619	1,393	1,313	80
CONDEMNATION OF LAND	5,599	4,674	4,433	188	31	15	7
FORECLOSURE	4,711	4,763	3,029	-	1,226	479	29
RENT, LEASE, AND EJECTMENT	273	320	100	18	-	192	10
TORTS TO LAND	464	486	38	48	136	261	3
OTHER REAL PROPERTY ACTIONS	829	824	62	365	-	366	31
TORT ACTIONS, TOTAL	28,901	32,539	175	4,263	8,989	18,769	343
PERSONAL INJURY:							
AIRPLANE	1,231	943	-	107	13	811	12
ASSAULT, LIBEL, AND SLANDER	627	751	-	53	18	665	15
EMPLOYERS' LIABILITY ACT	1,540	1,990	-	-	1,990	-	-
MARINE	4,905	5,006	-	131	4,005	859	11
MOTOR VEHICLE	5,991	6,321	-	569	14	5,605	133
MEDICAL MALPRACTICE	500	720	-	279	-	439	2
OTHER PERSONAL INJURY	9,162	11,786	-	2,883	40	8,725	138
PERSONAL PROPERTY DAMAGE:							
FRAUD INCLUDING TRUTH IN LENDING	2,980	2,875	86	18	2,214	554	3
OTHER PERSONAL PROPERTY DAMAGE	1,965	2,147	89	223	695	1,111	29

TABLE C2. UNITED STATES DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1980 AND 1981

NATURE OF SUIT	1980	1981					
		TOTAL	U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES.....	168,789	180,578	37,598	24,247	72,514	45,444	773
CONTRACT ACTIONS, TOTAL.....	49,052	51,159	22,819	632	5,901	21,738	71
INSURANCE.....	3,733	4,234	28	85	13	4,101	9
MARINE.....	4,762	5,143	25	31	5,084	-	3
MILLER ACT.....	799	754	-	-	754	-	-
NEGOTIABLE INSTRUMENTS.....	4,072	3,332	2,284	18	7	1,037	6
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	15,588	18,161	17,944	13	-	203	1
OTHER CONTRACT ACTIONS.....	20,098	19,535	2,560	485	43	16,395	52
REAL PROPERTY ACTIONS, TOTAL.....	11,067	8,887	5,557	494	757	2,014	65
CONDEMNATION OF LAND.....	4,674	2,179	2,021	61	74	22	1
FORECLOSURE.....	4,763	4,725	3,287	-	562	841	35
RENT, LEASE, AND EJECTMENT.....	320	332	96	24	-	207	5
TORTS TO LAND.....	486	588	44	55	121	365	1
OTHER REAL PROPERTY ACTIONS.....	824	1,065	109	354	-	579	23
TORT ACTIONS, TOTAL.....	34,539	33,767	131	3,239	8,414	21,692	291
PERSONAL INJURY:							
AIRPLANE.....	943	801	-	93	21	680	7
ASSAULT, LIBEL, AND SLANDER.....	751	744	-	46	13	677	8
EMPLOYERS' LIABILITY ACT.....	1,990	1,876	-	-	1,876	-	-
MARINE.....	5,008	5,235	-	161	4,297	774	3
MOTOR VEHICLE.....	6,321	6,199	-	510	19	5,555	115
MEDICAL MALPRACTICE.....	720	915	-	326	-	588	1
OTHER PERSONAL INJURY.....	11,786	13,550	-	1,875	21	11,506	148
PERSONAL PROPERTY DAMAGE:							
FRAUD INCLUDING TRUTH IN LENDING.....	2,875	2,038	54	24	1,421	534	5
OTHER PERSONAL PROPERTY DAMAGE.....	2,147	2,409	77	204	746	1,378	4

TABLE C2. UNITED STATES DISTRICT COURTS
 CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
 FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1980 AND 1981

NATURE OF SUIT	1980	1981					
		TOTAL	U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, TOTAL.....	75,574	86,172	9,089	19,872	57,185	-	26
ANTITRUST.....	1,496	1,352	47	13	1,292	-	-
BANKRUPTCY SUITS:							
TRUSTEE.....	206	216	-	4	212	-	-
TRANSFER (915B).....	76	45	-	-	45	-	-
APPEAL (801).....	1,406	1,724	16	33	1,675	-	-
BANKS AND BANKING.....	202	241	36	33	172	-	-
CIVIL RIGHTS:							
VOTING.....	160	152	8	9	135	-	-
JOBS.....	5,017	6,245	339	608	5,298	-	-
ACCOMMODATIONS.....	342	336	5	18	313	-	-
WELFARE.....	212	253	-	55	198	-	-
OTHER CIVIL RIGHTS.....	7,213	8,433	50	793	7,590	-	-
COMMERCE (ICC RATES, ETC.).....	1,105	1,080	65	16	999	-	-
ECONOMIC STABILIZATION ACT.....	35	47	10	13	24	-	-
ENVIRONMENTAL MATTERS.....	557	582	265	225	92	-	-
DEPORTATION.....	139	113	-	113	-	-	-
PRISONER PETITIONS:							
MOTIONS TO VACATE SENTENCE.....	1,322	1,248	-	1,248	-	-	-
PAROLE COMMISSION REVIEW.....	52	51	-	51	-	-	-
PRISON OFFICIALS - HABEAS CORPUS.....	8,444	9,419	-	1,629	7,786	-	4
PRISON OFFICIALS - MANDAMUS, ETC.....	469	520	-	342	177	-	1
CIVIL RIGHTS.....	13,000	16,473	-	834	15,639	-	-
FORFEITURE AND PENALTY:							
AGRICULTURAL ACTS.....	32	91	91	-	-	-	-
FOOD AND DRUG ACT.....	650	482	482	-	-	-	-
LIQUOR LAWS.....	4	2	2	-	-	-	-
RAILROAD AND TRUCKING REGULATIONS.....	12	7	7	-	-	-	-
AIR TRAFFIC REGULATIONS.....	42	46	46	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT.....	190	258	258	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS.....	2,089	2,077	2,077	-	-	-	-

TABLE C 2. U.S. DISTRICT COURTS
 CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
 FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1979 AND 1980

NATURE OF SUIT	1979	1980					
		TOTAL	U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, TOTAL.....	76,067	75,574	8,600	18,235	48,717	-	22
ANTITRUST.....	1,284	1,496	26	13	1,457	-	-
BANKRUPTCY SUITS:							
TRUSTEE.....	238	206	-	-	206	-	-
TRANSFER (915B).....	119	76	-	-	76	-	-
APPEAL (801).....	1,374	1,406	9	29	1,368	-	-
BANKS AND BANKING.....	171	202	25	30	147	-	-
CIVIL RIGHTS:							
VOTING.....	145	160	6	7	147	-	-
JOBS.....	5,477	5,017	221	402	4,394	-	-
ACCOMMODATIONS.....	434	342	13	17	312	-	-
WELFARE.....	195	212	-	42	170	-	-
OTHER CIVIL RIGHTS.....	6,917	7,213	36	715	6,462	-	-
COMMERCE (ICC RATES, ETC.).....	1,395	1,105	59	15	1,031	-	-
NARCOTIC ADDICT REHABILITATION ACT.....	8	-	-	-	-	-	-
ECONOMIC STABILIZATION ACT.....	50	35	2	19	14	-	-
ENVIRONMENTAL MATTERS.....	559	557	256	201	100	-	-
DEPORTATION.....	141	139	-	139	-	-	-
PRISONER PETITIONS:							
MOTIONS TO VACATE SENTENCE.....	1,907	1,322	-	1,322	-	-	-
PAROLE COMMISSION REVIEW.....	87	52	-	52	-	-	-
PRISON OFFICIALS - HABEAS CORPUS.....	8,700	8,444	-	1,413	7,029	-	2
PRISON OFFICIALS - MANDAMUS, ETC.....	524	469	-	323	145	-	1
CIVIL RIGHTS.....	11,783	13,000	-	603	12,395	-	2
FORFEITURE AND PENALTY:							
AGRICULTURAL ACTS.....	38	32	32	-	-	-	-
FOOD AND DRUG ACT.....	477	650	650	-	-	-	-
LIQUOR LAWS.....	-	4	4	-	-	-	-
RAILROAD AND TRUCKING REGULATIONS.....	8	12	12	-	-	-	-
AIR TRAFFIC REGULATIONS.....	52	42	42	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT.....	260	190	190	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS.....	1,944	2,089	2,089	-	-	-	-

TABLE C 2. U.S. DISTRICT COURTS
 CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
 FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1979 AND 1980

NATURE OF SUIT	1979	1980					
		TOTAL	U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTIONS
LABOR LAWS:							
FAIR LABOR STANDARDS ACT.....	1,706	1,897	1,378	23	496	-	-
LABOR MANAGEMENT RELATIONS ACT.....	4,119	3,976	294	52	3,630	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT.....	251	202	71	5	126	-	-
RAILWAY LABOR ACT.....	231	185	-	2	183	-	-
OTHER LABOR LITIGATION.....	2,097	2,380	259	157	1,964	-	-
PROTECTED PROPERTY RIGHTS:							
COPYRIGHT.....	1,144	1,424	-	-	1,424	-	-
PATENT.....	829	811	2	7	802	-	-
TRADEMARK.....	1,401	1,548	-	-	1,548	-	-
SECURITIES, COMMODITIES, AND EXCHANGES.....	1,589	1,694	150	12	1,532	-	-
SOCIAL SECURITY LAWS:							
BLACK LUNG CASES.....	326	208	-	208	-	-	-
OTHER (SEE TEXT FOR DETAILED ANALYSIS).....	9,616	8,835	-	8,835	-	-	-
STATE REAPPORTIONMENT SUITS.....	1	1	-	-	1	-	-
TAX SUITS.....	3,519	3,262	2,138	1,107	-	-	17
CUSTOMER CHALLENGE.....	8	9	-	9	-	-	-
FREEDOM OF INFORMATION ACT OF 1974.....	627	627	1	615	11	-	-
OTHER STATUTORY ACTIONS.....	4,316	4,043	635	1,861	1,547	-	-
OTHER ACTIONS, TOTAL.....	924	557	4	7	185	1	360
DOMESTIC RELATIONS.....	269	94	-	-	-	-	94
INSANITY.....	116	123	-	-	-	-	123
PROBATE.....	29	11	-	-	-	-	11
SUITS INVOLVING LOCAL OFFICIALS.....	223	191	-	6	184	1	-
OTHER.....	287	138	4	1	1	-	132

TABLE C2. UNITED STATES DISTRICT COURTS
 CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
 FOR THE TWELVE MONTH PERIODS ENDED JUNE 30, 1980 AND 1981

NATURE OF SUIT	1980	1981					
		TOTAL	U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, CONTINUED							
LABOR LAWS:							
FAIR LABOR STANDARDS ACT.....	1,897	1,762	1,153	25	584	-	-
LABOR MANAGEMENT RELATIONS ACT.....	3,976	4,102	256	40	3,806	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT.....	202	240	57	3	180	-	-
RAILWAY LABOR ACT.....	185	198	1	7	190	-	-
OTHER LABOR LITIGATION.....	2,380	2,998	234	130	2,634	-	-
PROTECTED PROPERTY RIGHTS:							
COPYRIGHT.....	1,424	1,515	-	-	1,515	-	-
PATENT.....	811	795	1	12	782	-	-
TRADEMARK.....	1,548	1,717	-	-	1,717	-	-
SECURITIES, COMMODITIES, AND EXCHANGES.....	1,694	1,768	140	14	1,614	-	-
SOCIAL SECURITY LAWS:							
BLACK LUNG CASES.....	208	119	-	119	-	-	-
OTHER (SEE TEXT FOR DETAILED ANALYSIS).....	8,835	9,661	-	9,661	-	-	-
STATE REAPPORTIONMENT SUITS.....	1	2	-	-	2	-	-
TAX SUITS.....	3,262	3,925	2,644	1,260	-	-	21
CUSTOMER CHALLENGE.....	9	5	-	5	-	-	-
FREEDOM OF INFORMATION ACT OF 1974.....	627	507	-	481	26	-	-
OTHER STATUTORY ACTIONS.....	4,043	5,365	799	2,078	2,488	-	-
OTHER ACTIONS, TOTAL.....	557	591	2	10	257	2	320
DOMESTIC RELATIONS.....							
INSANITY.....	94	12	-	-	-	-	12
PROBATE.....	123	135	-	-	-	-	135
SUITS INVOLVING LOCAL OFFICIALS.....	11	2	-	-	-	-	2
OTHER.....	191	266	1	9	254	2	-
	138	176	1	1	3	-	171

TABLE C 2. U. S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1981 AND 1982

NATURE OF SUIT	1981	1982					
		TOTAL	U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	180,578	208,193	48,868	28,905	79,197	50,555	668
CONTRACT ACTIONS, TOTAL	51,159	67,278	34,258	700	6,788	25,423	107
INSURANCE	4,234	8,324	25	108	88	5,099	28
MARINE	5,143	5,552	59	27	5,458	-	10
MILLER ACT	754	868	-	-	868	-	-
NEGOTIABLE INSTRUMENTS	3,332	3,987	2,829	18	35	1,301	6
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	18,181	30,048	29,839	17	18	178	1
OTHER CONTRACT ACTIONS	19,835	21,499	1,708	834	349	18,848	62
REAL PROPERTY ACTIONS, TOTAL	8,887	8,812	4,702	847	978	2,436	51
CONDEMNATION OF LAND	2,179	1,065	787	201	78	18	4
FORECLOSURE	4,725	8,784	3,740	-	783	1,210	21
RENT, LEASE, AND EJECTMENT	332	328	92	24	-	202	8
TORTS TO LAND	888	855	28	80	118	347	4
OTHER REAL PROPERTY ACTIONS	1,085	1,122	87	382	-	659	14
TORT ACTIONS, TOTAL	33,787	34,218	198	2,777	8,340	22,891	214
PERSONAL INJURY:							
AIRPLANE	801	983	-	122	27	807	7
ASSAULT, LIBEL, AND SLANDER	744	837	-	51	40	733	7
EMPLOYERS' LIABILITY ACT	1,878	2,017	-	-	2,017	-	-
MARINE	5,235	5,394	-	149	4,441	798	6
MOTOR VEHICLE	8,199	8,851	-	848	49	5,974	82
MEDICAL MALPRACTICE	918	897	-	344	-	852	1
OTHER PERSONAL INJURY	13,550	13,275	-	1,338	185	11,650	104
PERSONAL PROPERTY DAMAGE:							
FRAUD INCLUDING TRUTH IN LENDING	2,038	1,817	84	13	918	800	4
OTHER PERSONAL PROPERTY DAMAGE	2,409	2,467	112	218	859	1,477	3

TABLE C 2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1981 AND 1982

NATURE OF SUIT	1981	1982					
		TOTAL	U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, TOTAL	86,172	85,284	9,700	22,777	82,781	-	36
ANTITRUST	1,362	1,066	28	3	1,037	-	-
BANKRUPTCY SUITS:							
TRUSTEE	216	119	-	1	118	-	-
TRANSFER (9188)	46	60	4	2	44	-	-
APPEAL (801)	1,724	2,171	81	30	2,090	-	-
BANKS AND BANKING	241	266	42	36	209	-	-
CIVIL RIGHTS:							
VOTING	162	170	4	11	166	-	-
EMPLOYMENT	6,246	7,669	292	627	6,770	-	-
ACCOMMODATIONS	336	237	4	12	221	-	-
WELFARE	263	216	1	43	171	-	-
OTHER CIVIL RIGHTS	8,433	8,727	78	792	7,867	-	-
COMMERCE (ICC RATES, ETC.)	1,080	1,067	77	10	970	-	-
ECONOMIC STABILIZATION ACT	47	27	3	12	12	-	-
ENVIRONMENTAL MATTERS	662	394	178	137	79	-	-
DEPORTATION	113	134	6	129	-	-	-
PRISONER PETITIONS:							
MOTIONS TO VACATE SENTENCE	1,248	1,166	-	1,166	-	-	-
HABEAS CORPUS	9,470	9,996	-	1,927	8,036	-	23
MANDAMUS AND OTHER	620	666	-	381	172	-	3
CIVIL RIGHTS	16,473	17,675	-	834	16,739	-	2
FORFEITURE AND PENALTY:							
AGRICULTURAL ACTS	91	78	78	-	-	-	-
FOOD AND DRUG ACT	482	316	316	-	-	-	-
AIR TRAFFIC REGULATIONS	46	66	66	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	268	217	217	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	2,066	2,073	2,073	-	-	-	-

TABLE C 3. U. S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1981 AND 1982

NATURE OF SUIT	1981	1982					
		TOTAL	U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, CONTINUED							
LABOR LAWS:							
FAIR LABOR STANDARDS ACT	1,762	1,627	839	15	673	-	-
LABOR MANAGEMENT RELATIONS ACT	4,102	4,206	218	33	3,956	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	240	288	88	8	231	-	-
RAILWAY LABOR ACT	188	210	1	7	202	-	-
OTHER LABOR LITIGATION	2,988	3,888	308	98	3,580	-	-
PROTECTED PROPERTY RIGHTS:							
COPYRIGHT	1,516	1,748	-	-	1,748	-	-
PATENT	796	843	4	3	836	-	-
TRADEMARK	1,717	2,003	-	-	2,003	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	1,788	2,378	182	18	2,198	-	-
SOCIAL SECURITY LAWS:							
HEALTH INSURANCE	287	481	-	481	-	-	-
BLACK LUNG CASES	119	180	-	180	-	-	-
DISABILITY INSURANCE	8,538	8,002	-	8,002	-	-	-
SUPPLEMENTAL SECURITY INCOME	1,928	2,378	-	2,378	-	-	-
RETIREMENT AND SURVIVORS BENEFITS	136	138	-	138	-	-	-
OTHER	2,072	1,853	-	1,853	-	-	-
STATE REAPPORTIONMENT SUITS	2	33	-	-	33	-	-
TAX SUITS	3,926	4,221	2,841	1,272	-	-	8
CUSTOMER CHALLENGE	6	13	-	13	-	-	-
FREEDOM OF INFORMATION ACT OF 1974	807	381	2	368	13	-	-
OTHER STATUTORY ACTIONS	8,365	8,654	981	1,882	2,731	-	-
OTHER ACTIONS, TOTAL	591	593	12	4	312	5	280
DOMESTIC RELATIONS	12	6	-	-	-	-	6
INSANITY	135	113	-	-	-	-	113
PROBATE	2	1	-	-	-	-	1
SUITS INVOLVING LOCAL OFFICIALS	288	323	8	2	309	4	-
OTHER	176	181	4	2	3	1	141

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TABLE C 2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1952 AND 1963

NATURE OF SUIT	1952	TOTAL	1963				
			U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	206,193	241,842	59,922	35,881	87,935	87,421	883
CONTRACT ACTIONS, TOTAL	87,278	84,017	46,126	926	7,078	29,782	105
INSURANCE	8,324	8,184	-	233	-	8,934	17
MARINE	8,852	8,721	58	23	8,028	-	14
MILLER ACT	886	1,188	-	-	1,188	-	-
NEGOTIABLE INSTRUMENTS	3,987	5,292	3,570	18	-	1,687	7
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	30,048	41,213	41,086	9	-	138	-
OTHER CONTRACT ACTIONS	21,499	24,439	1,434	843	282	22,013	67
REAL PROPERTY ACTIONS, TOTAL	8,812	9,687	5,095	877	1,192	2,788	35
CONDEMNATION OF LAND	1,055	985	885	32	48	17	3
FORECLOSURE	8,754	8,382	3,904	-	977	1,487	14
RENT, LEASE, AND EJECTMENT	328	398	98	24	-	271	7
TORTS TO LAND	855	813	42	55	187	348	1
OTHER REAL PROPERTY ACTIONS	1,122	1,289	198	488	-	845	10
TORT ACTIONS, TOTAL	34,218	36,484	197	2,887	8,295	24,871	234
PERSONAL INJURY:							
AIRPLANE	983	1,128	-	152	78	901	-
ASSAULT, LIBEL, AND SLANDER	837	1,040	-	81	102	847	10
EMPLOYERS' LIABILITY ACT	2,017	2,102	-	-	2,102	-	-
MARINE	5,394	4,993	-	186	4,053	781	3
MOTOR VEHICLE	6,651	6,987	-	801	171	8,138	77
MEDICAL MALPRACTICE	997	1,499	-	458	-	1,024	14
OTHER PERSONAL INJURY	13,275	14,408	-	1,172	244	12,884	125
PERSONAL PROPERTY DAMAGE:							
FRAUD INCLUDING TRUTH IN LENDING	1,817	1,848	104	13	941	788	4
OTHER PERSONAL PROPERTY DAMAGE	2,487	2,484	83	254	808	1,530	1

TABLE C 2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1982 AND 1983

NATURE OF SUIT	1982	TOTAL	1983				
			U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, TOTAL	95,295	111,100	8,504	31,478	71,093	-	28
ANTITRUST	1,068	1,213	15	8	1,192	-	-
BANKRUPTCY SUITS:							
TRUSTEE	119	380	-	4	356	-	-
TRANSFER (9188)	60	212	1	2	209	-	-
APPEAL (801)	2,171	3,203	45	55	3,103	-	-
BANKS AND BANKING	286	344	83	72	209	-	-
CIVIL RIGHTS:							
VOTING	170	175	1	8	168	-	-
EMPLOYMENT	7,889	9,097	170	808	8,121	-	-
ACCOMMODATIONS	237	295	9	25	262	-	-
WELFARE	216	229	2	47	180	-	-
OTHER CIVIL RIGHTS	8,727	9,938	46	829	8,067	-	-
COMMERCE (ICC RATES, ETC.)	1,057	1,043	92	20	931	-	-
ECONOMIC STABILIZATION ACT	27	42	2	11	29	-	-
ENVIRONMENTAL MATTERS	384	485	196	184	85	-	-
DEPORTATION	134	141	-	141	-	-	-
PRISONER PETITIONS:							
MOTIONS TO VACATE SENTENCE	1,166	1,311	-	1,311	-	-	-
HABEAS CORPUS	9,988	10,448	-	1,914	8,523	-	-
MANDAMUS AND OTHER	556	541	-	339	202	-	-
CIVIL RIGHTS	17,575	18,477	-	790	17,688	-	-
FORFEITURE AND PENALTY:							
AGRICULTURAL ACTS	78	87	87	-	-	-	-
FOOD AND DRUG ACT	316	417	417	-	-	-	-
AIR TRAFFIC REGULATIONS	56	47	47	-	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	217	129	129	-	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	2,673	2,803	2,803	-	-	-	-

TABLE C 2. U. S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1982 AND 1983

NATURE OF SUIT	1982	1983					
		TOTAL	U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, CONTINUED							
LABOR LAWS:							
FAIR LABOR STANDARDS ACT	1,527	1,383	809	12	502	-	-
LABOR MANAGEMENT RELATIONS ACT	4,208	4,208	155	38	4,017	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	298	271	38	8	227	-	-
RAILWAY LABOR ACT	210	190	1	7	182	-	-
OTHER LABOR LITIGATION	3,888	4,881	208	87	4,666	-	-
PROTECTED PROPERTY RIGHTS:							
COPYRIGHT	1,746	2,228	-	-	2,228	-	-
PATENT	843	1,002	-	-	1,002	-	-
TRADEMARK	2,003	2,185	-	-	2,185	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	2,378	2,916	155	71	2,689	-	-
SOCIAL SECURITY LAWS:							
HEALTH INSURANCE	461	471	-	471	-	-	-
BLACK LUNG CASES	180	88	-	88	-	-	-
DISABILITY INSURANCE	8,002	15,189	-	15,189	-	-	-
SUPPLEMENTAL SECURITY INCOME	2,378	3,595	-	3,595	-	-	-
RETIREMENT AND SURVIVORS BENEFITS	138	329	-	329	-	-	-
OTHER	1,653	655	-	655	-	-	-
STATE REAPPORTIONMENT SUITS	33	8	-	-	8	-	-
TAX SUITS	4,221	4,132	2,298	1,821	-	-	15
CUSTOMER CHALLENGE	13	86	-	86	-	-	-
FREEDOM OF INFORMATION ACT OF 1974	381	484	1	430	23	-	-
OTHER STATUTORY ACTIONS	5,655	5,781	738	2,080	2,665	-	-
OTHER ACTIONS, TOTAL	592	874	-	13	277	-	284
DOMESTIC RELATIONS	5	8	-	-	-	-	8
INSANITY	113	102	-	-	-	-	102
PROBATE	1	4	-	-	-	-	4
SUITS INVOLVING LOCAL OFFICIALS	323	280	-	12	268	-	-
OTHER	180	123	-	1	9	-	113

TABLE C.2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1993 AND 1994

NATURE OF SUIT	1993	1994					
		TOTAL	U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	241,842	281,485	84,814	47,083	82,082	88,856	700
CONTRACT ACTIONS, TOTAL	84,017	88,231	81,789	875	8,882	28,724	71
INSURANCE	8,184	8,211	23	278	231	5,888	15
MARINE	8,721	8,031	78	38	4,907	-	7
MILLER ACT	1,188	1,283	810	-	373	-	-
NEGOTIABLE INSTRUMENTS	8,292	4,780	3,082	40	88	1,891	1
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGEMENTS	41,213	48,190	48,928	88	13	188	1
OTHER CONTRACT ACTIONS	24,439	24,758	1,781	858	1,082	21,291	47
REAL PROPERTY ACTIONS, TOTAL	8,887	8,182	8,084	783	1,038	2,280	29
CONDEMNATION OF LAND	888	808	418	21	38	30	-
FORECLOSURE	8,382	8,880	4,384	280	788	1,213	18
RENT, LEASE, AND EJECTMENT	388	400	87	28	84	218	2
TORTS TO LAND	813	802	42	82	87	308	3
OTHER REAL PROPERTY ACTIONS	1,289	1,122	142	381	88	810	10
TORT ACTIONS, TOTAL	38,484	37,822	188	2,918	8,288	28,880	288
PERSONAL INJURY:							
PERSONAL INJURY PRODUCT LIABILITY							
AIRPLANE	337	371	-	13	23	338	-
MARINE	184	133	-	2	88	72	-
MOTOR VEHICLE	874	882	-	11	14	818	9
ASBESTOS	-	2,788	-	10	113	2,685	-
OTHER	8,881	8,733	-	78	218	8,438	3
OTHER PERSONAL INJURY							
AIRPLANE	782	748	-	218	108	428	2
MARINE	4,828	4,458	20	143	3,872	817	3
MOTOR VEHICLE	8,413	8,502	-	887	184	8,888	82
ASSAULT, LIBEL AND SLANDER	1,040	888	-	71	183	788	8
FEDERAL EMPLOYERS' LIABILITY ACT	2,102	1,814	-	-	1,814	-	-
MEDICAL MALPRACTICE	1,488	1,782	-	822	-	1,249	11
OTHER	7,484	7,407	27	1,028	478	8,702	174
PERSONAL PROPERTY DAMAGE:							
FRAUD INCLUDING TRUTH IN LENDING	1,848	1,842	47	38	888	888	3
OTHER PERSONAL PROPERTY DAMAGE	2,484	2,207	72	220	818	1,284	2

TABLE C 2 U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1983 AND 1984

NATURE OF SUIT	1983	1984				
		TOTAL	U. S. CASES		PRIVATE CASES	
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP LOCAL JURISDICTION
ACTIONS UNDER STATUTES, TOTAL	111,101	128,853	7,796	42,383	75,768	- 20
ANTITRUST	1,313	1,124	18	8	1,100	-
BANKRUPTCY SUITS:						
TRUSTEE	380	130	-	2	128	-
TRANSFER (9188)	212	358	4	8	348	-
APPEAL (801)	3,203	4,187	87	103	3,987	-
BANKS AND BANKING	344	319	88	88	193	-
CIVIL RIGHTS:						
VOTING	176	289	10	9	240	-
EMPLOYMENT	8,097	9,748	258	873	8,817	-
ACCOMMODATIONS	298	281	12	14	265	-
WELFARE	229	183	1	44	138	-
OTHER CIVIL RIGHTS	8,838	10,738	49	850	8,839	-
COMMERCE (ICC RATES, ETC.)	1,043	1,000	85	20	888	-
ECONOMIC STABILIZATION ACT	42	24	2	11	11	-
ENVIRONMENTAL MATTERS	485	871	287	202	182	-
DEPORTATION	141	193	-	181	12	-
PRISONER PETITIONS:						
MOTIONS TO VACATE SENTENCE	1,311	1,427	-	1,427	-	-
HABEAS CORPUS	10,446	10,284	-	1,805	8,335	14
MANDAMUS AND OTHER	841	870	-	372	198	-
CIVIL RIGHTS	18,477	18,868	-	822	18,034	-
FORFEITURE AND PENALTY:						
AGRICULTURAL ACTS	87	74	82	12	-	-
FOOD AND DRUG ACT	417	411	410	1	-	-
AIR TRAFFIC REGULATIONS	47	112	112	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	129	108	105	1	-	-
OTHER FORFEITURE AND PENALTY SUITS	2,803	3,005	2,995	10	-	-

TABLE C.2. U. S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1983 AND 1984

NATURE OF SUIT	1983	TOTAL	1984				
			U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
LABOR LAWS							
FAIR LABOR STANDARDS ACT	1,383	1,478	772	26	881	-	-
LABOR MANAGEMENT RELATIONS ACT	4,208	3,820	134	41	3,745	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	271	304	39	1	384	-	-
RAILWAY LABOR ACT	190	324	2	3	219	-	-
OTHER LABOR LITIGATION	4,891	5,894	184	148	5,561	-	-
PROTECTED PROPERTY RIGHTS:							
COPYRIGHT	2,228	2,102	-	-	2,102	-	-
PATENT	1,002	1,010	1	11	998	-	-
TRADEMARK	2,188	2,188	1	-	2,188	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	2,918	3,142	307	32	2,913	-	-
SOCIAL SECURITY LAWS:							
HEALTH INSURANCE	471	678	-	678	-	-	-
BLACK LUNG CASES	98	89	-	89	-	-	-
DISABILITY INSURANCE	18,189	24,218	21	24,194	-	-	-
SUPPLEMENTAL SECURITY INCOME	3,598	4,495	-	4,495	-	-	-
RETIREMENT AND SURVIVORS BENEFITS	329	827	-	827	-	-	-
OTHER	855	111	-	111	-	-	-
STATE REAPPORTIONMENT SUITS	8	7	-	-	7	-	-
TAX SUITS	4,132	3,865	981	2,888	-	-	8
CUSTOMER CHALLENGE	55	7	-	7	-	-	-
FREEDOM OF INFORMATION ACT OF 1974	484	478	-	448	33	-	-
OTHER STATUTORY ACTIONS	5,782	7,365	920	2,110	4,325	-	-
OTHER ACTIONS, TOTAL	973	897	-	18	284	2	295
DOMESTIC RELATIONS	5	-	-	-	-	-	-
INSANITY	162	94	-	-	-	-	94
PROBATE	4	-	-	-	-	-	-
SUITS INVOLVING LOCAL OFFICIALS	280	302	-	14	284	2	-
OTHER	122	191	-	-	-	-	191

* Separate data on asbestos litigation is available only for the twelve month period ended June 30, 1984; prior to this period asbestos cases are included in the category "Personal Injury Product Liability - Other."

TABLE 41
CIVIL CASES COMMENCED IN THE U.S. DISTRICT COURTS
DURING THE FISCAL YEARS 1961-1968 BY NATURE OF SUIT

Nature of Suit	Cases filed							Percent Change	
	1961	1969	1970	1971	1972	1973	1974	1974 over 1961	1974 over 1973
TOTAL	58,293	77,193	87,321	93,196	96,173	98,560	103,530	77.6	5.0
Contract actions	16,340	14,951	17,157	18,575	18,977	19,468	19,426	18.9	-0.2
Insurance	1,586	2,381	2,522	2,732	2,572	2,421	2,286	44.1	-5.6
Marine	2,412	2,838	3,496	3,630	3,381	3,440	3,195	32.5	-7.1
Killier Act	1,333	735	916	718	572	553	646	-51.5	16.8
Remediable instruments	4,070	2,567	2,971	2,998	3,205	3,074	2,410	-40.8	-21.6
Other	6,939	6,430	7,252	8,497	9,267	9,980	10,889	56.9	9.1
Real property actions	3,325	3,737	3,284	3,608	3,553	4,113	5,098	53.3	23.9
Mortgage foreclosure	1,326	1,664	1,349	1,648	1,921	2,025	2,938	121.6	45.1
Land Condemnation	897	1,020	880	891	602	835	917	-8.0	9.8
Other	1,003	1,053	1,055	1,069	1,030	1,253	1,243	23.9	-0.8
Tort actions	21,705	24,713	25,320	25,405	24,012	23,105	24,231	14.3	4.9
Employers' Liability Act	1,114	1,233	1,272	1,253	1,391	1,164	1,202	7.9	3.3
Marine	4,889	7,111	7,257	7,232	6,534	5,630	5,236	7.1	-7.0
Motor vehicle	9,083	9,504	9,363	8,779	7,700	7,371	7,398	-18.6	0.1
Other personal injury	4,574	5,369	5,592	6,047	6,411	6,466	6,628	44.9	2.5
Property damage	1,545	1,496	1,816	1,994	1,968	2,474	3,767	143.8	52.3
Actions under statutes	13,427	11,232	19,348	43,750	47,501	49,950	52,960	294.4	6.0
Antitrust	420	783	929	1,505	1,379	1,206	1,270	202.4	5.3
Civil rights	296	2,453	3,985	5,138	6,133	7,679	8,443	2752.4	9.9
Commerce (ICC, etc.)	335	856	1,132	2,014	3,335	3,341	3,925	1271.6	17.5
Deportation	716	129	144	119	170	271	412	10.4	52.0
Forfeiture and penalty suits	2,340	1,202	1,459	2,031	2,565	2,937	1,961	-16.9	-33.2
Labor laws	2,484	3,721	3,999	4,663	4,987	4,861	5,400	117.4	11.1
Narcotic Addict Rehabilitation Act	-	2,011	3,268	2,725	2,530	3,716	515	33.1	-70.0
Patent, copyright and trademark	1,585	1,865	2,150	2,042	2,194	2,056	2,084	31.5	1.4
Prisoner petitioners									
Federal	1,589	3,612	4,185	4,121	4,179	4,535	4,987	213.8	10.0
State	1,020	9,712	11,812	12,145	12,088	12,683	13,423	1216.0	5.8
Securities, commodities and exchange	267	796	1,211	1,962	1,919	1,999	2,378	790.6	19.0
Selective Service Act	(^a)	(^a)	447	695	281	82	7	-	-91.5
Social Security laws	537	1,572	1,735	1,792	2,288	2,497	3,585	567.6	43.6
Tax suits	1,507	1,452	1,509	1,464	1,464	1,577	1,917	27.2	21.6
Other	711	1,470	1,383	1,334	1,989	2,510	2,653	273.1	5.7
Other Actions	3,995	2,560	2,212	2,058	2,130	1,924	1,815	-54.6	-5.7
Diplomatic relations (local jurisdiction)	393	700	758	758	938	1,014	1,007	156.2	-0.7
Insanity (local jurisdiction)	2,541	816	536	317	272	55	14	-98.5	-74.5
Other	1,041	1,044	918	983	920	855	794	-25.2	-7.1

^aPercent change since fiscal year 1968 when Title III, Narcotic Addict Rehabilitation Act took effect.
^bIncluded with other.

Changes in the civil "case mix"

As noted in previous reports, the type of civil case filed in the district courts changes from year to year and consequently an increase in a certain type of litigation might express more work for the court than the figures suggest. This is one of the major arguments for providing information by weighted filings rather than in actual or gross filings.

The overall increase in filings was 5.0%. But the range in the change of filings for the major types of civil litigation was from a minus 91.5% for remedies sought under the Selective Service Act to a plus 50.3% for tort actions involving property damage. Of

Table 19
U.S. District Courts
Civil Cases Commenced by Nature of Suit
During the Twelve Month Periods Ended June 30, 1981 through 1985

Nature of Suit	1981	1982	1983	1984	1985	Percent Change 1985/ 1981
Total.....	480,378	208,193	241,842	261,485	273,670	4.7
Contracts	51,159	87,276	84,017	88,331	102,642	16.3
Insurance	4,334	5,324	6,194	6,311	6,851	10.3
Marine	5,143	5,551	5,731	5,031	5,037	0.1
Miller Act	754	886	1,168	1,383	1,623	26.5
Negotiable Instruments	4,073	2,332	3,987	5,392	4,122	-22.1
Recovery of Overpayment and Enforcement of Judgments	18,181	30,648	41,313	46,190	58,180	25.9
Other	19,535	21,499	24,439	24,756	26,849	8.5
Real Property Actions	8,887	8,312	9,687	9,192	10,118	10.1
Mortgage Foreclosure	4,735	5,754	6,382	6,660	7,465	12.1
Land Condemnation	3,179	1,055	985	508	870	31.9
Other	1,983	2,003	2,300	2,024	1,983	-2.0
Tort Actions	33,767	31,218	36,184	37,322	41,593	10.8
Employers' Liability Act	1,876	2,017	2,102	1,914	2,221	18.0
Airplane	645	589	792	748	613	-18.0
Marine	5,166	5,272	4,729	4,455	4,757	-2.9
Motor Vehicle	5,708	6,095	6,413	6,502	6,776	4.2
Other Personal Injury	7,997	8,253	9,890	10,177	11,076	8.8
Personal Injury Product Liability	8,038	7,908	8,028	9,677	12,507	29.1
Property Damage	4,447	4,084	4,332	4,049	4,033	-0.4
Actions Under Statutes	86,172	95,294	111,100	125,953	118,833	-5.7
Antitrust	1,352	1,066	1,313	1,134	1,082	-3.7
Bankruptcy Suits	1,985	2,340	3,775	4,645	6,331	36.3
Civil Rights:						
Accommodations	336	237	296	291	253	-13.1
Employment	8,145	7,648	9,097	9,748	8,082	-17.1
Voting	152	170	175	259	281	8.5
Welfare	253	215	229	183	180	-1.8
Other Civil Rights	8,433	8,737	9,938	10,738	10,757	0.1
Commerce (ICC rates, etc.)	1,080	1,057	1,043	1,000	912	-8.8
Deportation	113	134	141	193	185	-4.1
Economic Stabilization Act	47	37	42	24	22	-8.3
Energy Allocation Act	104	47	35	41	34	-17.1
Environmental Matters	682	394	465	671	652	-2.8
Forfeiture and Penalty Suits	2,963	3,340	3,463	3,708	4,908	32.4
Freedom of Information Act	507	381	454	479	565	18.0
Labor Laws	9,309	10,227	11,033	11,821	11,749	-0.6
Patent, Copyright, Trademark	4,027	4,592	5,413	5,298	5,412	2.2
Prisoner Petitions:						
Federal	4,104	4,328	4,354	4,578	6,282	38.4
State	23,607	24,975	28,421	26,581	27,206	3.4
Securities, Commodities and Exchange	1,768	2,276	2,915	3,142	3,266	3.9
Social Security Laws	9,780	12,812	20,315	29,985	19,771	-34.1
Tax Suits	3,930	4,234	4,187	3,862	3,006	-22.2
Other	5,504	5,828	6,096	7,634	7,917	3.7
Other Actions	581	593	574	587	484	-17.5
Domestic Relations (Local Jurisdiction)	12	9	9	-	5	-
Insanity (Local Jurisdiction)	135	113	162	94	-	-
Other	444	473	407	493	479	-2.8

Table 19
Civil Cases Commenced in the U.S. District Courts, by
Nature of Suit, During the Twelve Month Periods Ended June 30, 1975 - 1980

Nature of Suit	1975	1976	1977	1978	1979	1980	Percent Change 1980 over 1979
Total	117,320	130,597	130,567	138,770	154,666	168,789	9.1
Contracts	22,905	23,998	23,907	25,727	26,898	49,052	32.9
Insurance.....	3,644	3,184	3,293	3,265	3,343	3,733	11.7
Marine.....	3,662	4,060	3,757	4,013	4,881	4,762	1.7
Miller Act.....	1,037	855	1,009	971	886	799	-9.8
Negotiable Instruments.....	2,490	2,240	3,355	2,139	2,264	4,072	79.7
Recovery of Overpayments and Enforcement of Judgments.....	681	1,087	965	1,856	9,254	15,583	68.2
Other.....	11,391	12,472	12,628	12,483	14,468	20,123	22.2
Real property actions	6,488	8,475	8,387	12,781	11,878	11,067	-6.8
Mortgage foreclosure.....	3,546	3,883	3,979	4,159	4,711	4,874	-0.8
Land condemnation.....	1,391	3,037	2,701	7,021	5,599	4,763	-14.9
Other.....	1,551	1,755	1,807	1,601	1,568	1,830	4.1
Tort actions	25,691	25,736	26,029	26,375	28,901	32,539	12.6
Employers' Liability Act.....	1,243	1,329	1,306	1,494	1,540	1,990	29.2
Marine.....	3,410	5,170	5,056	4,843	4,905	5,006	2.1
Motor vehicle.....	6,784	8,068	8,036	8,339	5,891	6,321	5.5
Other personal injury.....	7,774	8,635	9,067	9,770	11,520	14,200	23.3
Property damage.....	4,470	4,534	4,584	4,479	4,945	5,022	1.6
Actions under statutes	60,851	70,372	70,694	73,834	76,067	75,574	-0.6
Antitrust.....	1,431	1,555	1,658	1,477	1,284	1,486	16.5
Civil rights.....	10,392	12,329	13,113	12,829	13,168	12,944	-1.7
Commerce (ICC rates, etc.).....	4,042	4,396	2,549	2,265	1,395	1,105	-20.6
Deportations.....	386	291	282	183	141	139	-1.4
Forfeiture and penalty suits.....	2,446	2,587	2,854	2,988	2,779	3,019	8.6
Labor laws.....	6,617	7,743	7,739	7,461	8,404	8,640	2.8
Narcotic Addict Rehabilitation Act.....	276	150	113	74	8	-	-
Patent, copyright, trademark.....	2,276	2,632	3,071	3,265	3,274	3,783	12.1
Prisoner petitions: Federal.....	5,947	4,780	4,891	4,955	4,499	3,713	-17.5
State.....	14,260	15,029	14,846	16,949	18,502	19,574	5.8
Securities, commodities and exchange.....	2,408	2,230	1,960	1,703	1,589	1,894	6.4
Social Security laws.....	5,846	10,353	10,095	9,950	9,942	9,043	-9.0
Tax suits.....	1,689	1,849	1,981	2,649	2,519	2,271	-7.6
Freedom of Information Act.....	-	-	**142	532	627	827	-
Other.....	3,923	4,446	5,722	6,167	6,836	6,526	-4.5
Other Actions	2,185	2,018	1,550	852	924	557	-39.7
Domestic relations (General jurisdiction).....	1,130	1,186	729	304	369	94	-45.1
Insanity (Special Jurisdiction).....	40	18	77	101	116	123	6.9
Other.....	1,015	812	744	447	539	340	-36.9

* Not separately classified until March 1977.

** Data covers period from March - June 1977 only.

Senator McCONNELL. I would like to call now Robert Carr, the president of the National Council of U.S. Magistrates. Mr. Carr, if you have a statement, we will put that in the record, and we would like to ask you to summarize it.

STATEMENT OF ROBERT CARR, PAST PRESIDENT, NATIONAL COUNCIL OF U.S. MAGISTRATES, ACCOMPANIED BY JOHN ROPER, U.S. MAGISTRATE, BILOXI, MS, AND HARVEY SCHLESINGER, U.S. MAGISTRATE, JACKSONVILLE, FL

Mr. CARR. Mr. Chairman, I am Robert Carr with the National Council of U.S. Magistrates, and I am accompanied by the new president of the national council, John Roper, the U.S. magistrate from Biloxi, MS, and the president-elect of the national council, Harvey Schlesinger, U.S. magistrate from Jacksonville, FL. Also, our Washington coordinator, Tom Railsback is with us.

I have previously handed up a prepared statement, and I would like to summarize it if I may. We were all saddened by the death of the previous chairman of this subcommittee, Senator East, and we are particularly appreciative of the prompt attention that you have given this bill, Mr. Chairman, to provide for improved retirement for magistrates.

We also appreciate Senator Heflin's taking time to be with us here today. Senator, magistrates are well aware of your longstanding support for the magistrate system and the judiciary at large through your activities with the American Bar Association, and we are most appreciative for it.

We also appreciate Senator Thurmond's sponsorship of this bill. Senator Thurmond, I am proud to say, is the senior Senator from my home State, and he has been in the U.S. Senate for over 30 years. We are here today because of his concern that the judiciary should be in a position to recruit and maintain an adequate team of highly qualified judicial officers to meet the steady growth of litigation in our Federal system.

Since Congress replaced the U.S. Commissioner with the U.S. Magistrate System in 1968, Congress has continued to expand the power of the district courts to assign responsibility to U.S. magistrates.

In 1976, Congress clarified the authority of the U.S. district courts to assign duties to magistrates, and, in 1979, Congress authorized the referral of civil cases to U.S. magistrates on the consent of the parties and with the approval of the district court, and also expanded magistrates' authority in the area of criminal trials.

Similarly, at the same time, Congress improved the bankruptcy laws with the Bankruptcy Reform Act of 1978, which, as you know, was partially declared unconstitutional in the *Northern Pipeline* case. But in light of this expanded jurisdiction of magistrates and bankruptcy judges in 1978 and 1979, the Judicial Conference of the United States recommended that the retirement for magistrates, bankruptcy judges, and judges of the Claims Court, be enhanced to the same level as that set out in 88 U.S.C. 373 for territorial nonarticle III judges. At that time, prior to the Judicial Conference's recommendation in 1982, magistrates, bankruptcy judges, and judges

of the Claims Court were all covered under the Civil Service Act, as any other Federal Government employee was covered.

In 1984, in curing the constitutional defects in the Bankruptcy Reform Act of 1978, Congress recognized the inadequacy of the retirement provisions for U.S. bankruptcy judges and provided an enhanced retirement program for them.

At that time, Senator Thurmond, in keeping with the positions of the Judicial Conference, indicated his desire to see that magistrates receive the same retirement benefits as bankruptcy judges.

However, because of the controversial nature of the 1984 amendments, and the pressures involved, it was elected to seek further legislation concerning magistrates, rather than to use the 1984 amendments as that vehicle.

So, since March 1984, when the 1984 Bankruptcy Reform Act amendments became effective, there has been a disparity between retirement benefits for U.S. magistrates and bankruptcy judges.

In cooperation with the committee on the administration of the magistrates system of the Judicial Conference of the United States, and the Administrative Office of the United States, the National Council of U.S. Magistrates delayed seeking this parity legislation in favor of an attempt by the Administrative Office to have Congress enact the more generous retirement benefits for all nonarticle III judges—bankruptcy judges, magistrates, and judges of the Claims Court.

In February of this year, the director of the Administrative Office, Mr. Mecham, forwarded to the Speaker of the House and the President of the Senate, the Judicial Conference's recommendation that judges of the U.S. Claims Court, U.S. magistrates, and bankruptcy judges, be included in the judicial retirement system now applicable to territorial district judges.

That bill has been introduced in the House as H.R. 4673, and I understand that the bill has been referred to the House Judiciary Committee, and amendments are now being proposed to that bill.

Because of Senator Thurmond's keen interest in the judiciary, Senator Thurmond was approached concerning the enhanced retirement bill for judges of the Claims Court, bankruptcy judges, and magistrates, and again he indicated a desire to maintain parity between magistrates and bankruptcy judges. True to his word, he introduced S. 2529, the bill that is before this subcommittee today, to provide a retirement system for U.S. magistrates equal to the retirement system for bankruptcy judges.

While this bill is less than that recommended by the Judicial Conference of the United States, magistrates are grateful to Senator Thurmond for his sponsorship of the bill to correct the disparity created by the Bankruptcy Reform Act Amendments of 1984.

Improved retirement remains the number one concern of magistrates, and the passage of time since 1984 has heightened the urgency in achieving improvements in the retirement benefits for magistrates.

The Judicial Conference, in its report to Congress in 1981, noted that most magistrates enter into public life at a later time in their career, and they do not have the time to establish the years of service as a Federal employee normally does.

In fact looking at specific examples, you can see what the disparity has created. A magistrate retiring at age 65 with 15 years of service, retires from a salary of \$68,400 to an annuity of \$17,900. A similarly situated bankruptcy judge retires from the same salary to an annuity of \$25,650, a difference of over \$7,600.

Magistrates and bankruptcy judges are unanimous in their belief that the current retirement provisions for bankruptcy judges and magistrates are inadequate, but magistrates are further troubled by the continuing disparity between bankruptcy judges and magistrates.

Accordingly, we are most anxious to see S. 2529 passed. The bill before the subcommittee today is, with appropriate changes, word for word, the law as it now pertains to the retirement of bankruptcy judges. It provides an annuity for a magistrate who retires with 10 years of service equal to 2½ percent of his high-three years average salary for each year of service as a magistrate or commissioner.

This is essentially the same retirement benefit provided under the Civil Service Retirement System to Members of Congress and congressional staffs prior to January 1, 1984.

Additionally, however, we feel the most obvious benefit to the United States from this legislation is, as cited by Senator Thurmond, the enhanced ability of the judiciary to attract highly qualified individuals to the position of magistrate.

Unfortunately, the existing law has been interpreted as applying only to those bankruptcy judges in service in January 1984, with some few exceptions. In other words, it is not a prospective bill, and we respectfully suggest that it should be made clear, that the provisions of this bill are to be applied prospectively to magistrates appointed subsequent to January 1, 1984.

Finally, the National Council of U.S. Magistrates wants to make it clear that it would not at all be opposed to including bankruptcy judges or judges of the Claims Court in this bill, if that were deemed appropriate, and they were agreeable. In summary, let me say, without any equivocation, that the National Council of U.S. Magistrates urges the passage of legislation to improve the retirement system for U.S. magistrates during this session of Congress.

We suggest that the real benefit to the country of any such improvement lies in the retention of the existing experienced cadre of U.S. magistrates, and the prospective application of the improved retirement program to facilitate the appointment of highest qualified individuals as magistrates.

I have submitted to the committee a letter from Judge Williams of the Federal Judges Association supporting the improved retirement for magistrates, and I would like simply to close again by expressing my gratitude to you, Mr. Chairman.

I know that you assumed these duties as a result of unfortunate circumstances, and we want you to be assured of our absolute support for this legislation, and of our desire to cooperate fully with the subcommittee in any way possible. I will be happy to answer any questions that you may have.

[Mr. Carr's submissions for the record follow:]

TESTIMONY OF ROBERT S. CARR
ON BEHALF OF THE
NATIONAL COUNCIL OF UNITED STATES MAGISTRATES
IN SUPPORT OF S. 2529

Mr. Chairman, Members of the Subcommittee:

Thank you for this opportunity to testify on behalf of the National Council of United States Magistrates.

All Americans were saddened by the tragic and untimely death of the courageous Chairman of this Subcommittee, Senator East, and we all share in the loss felt so directly by the members and staff of this subcommittee. We are all acutely aware of the heavy burden which this committee and its staff must now shoulder. For that reason, we are particularly appreciative of the prompt attention which Chairman McConnell has given to S. 2529, the bill to provide for improved retirement for magistrates which is before us today.

We are also most appreciative to Senator Thurmond, the chief sponsor of S. 2529. I am proud that Senator Thurmond is the senior Senator from my home state of South Carolina; he has been in the United States Senate for over thirty (30) years and our state and nation have been indelibly changed for the better by his stalwart defense and promotion of the conservative ideals embodied in our Constitution. Similarly, the Federal Judiciary has been marked by his presence and improved by his insistence on a judiciary which embodies the concepts of judicial restraint, independence, integrity, and high legal ability.

We are here today because of his concern that the judiciary be in a position to recruit and maintain an adequate team of highly qualified judicial officers to meet the steady growth of litigation in our federal system.

Since Congress replaced the U. S. commissioner system with the magistrates system in 1968, it has steadily expanded the power of district courts to assign responsibilities to

TABLE C 2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1984 AND 1985

NATURE OF SUIT	1984	TOTAL	1985				
			U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
TOTAL CASES	281,488	273,670	79,371	38,117	94,487	61,101	614
CONTRACT ACTIONS, TOTAL	89,231	102,842	84,862	988	7,298	29,811	88
INSURANCE	8,211	8,861	31	282	383	8,184	11
MARINE	8,031	8,037	74	37	4,810	-	18
MILLER ACT	1,283	1,623	1,373	-	280	-	-
NEGOTIABLE INSTRUMENTS	4,740	4,122	2,498	48	173	1,408	3
RECOVERY OF OVERPAYMENTS AND ENFORCEMENT OF JUDGMENTS	48,180	88,180	87,888	70	7	184	1
OTHER CONTRACT ACTIONS	24,786	28,848	2,801	880	1,898	21,848	88
REAL PROPERTY ACTIONS, TOTAL	8,192	10,118	8,830	787	1,312	2,498	24
CONDEMNATION OF LAND	808	870	884	14	48	12	2
FORECLOSURE	8,680	7,488	4,873	401	823	1,488	13
RENT, LEASE, AND EJECTMENT	400	384	101	30	71	181	1
TORTS TO LAND	802	489	18	83	111	284	2
OTHER REAL PROPERTY ACTIONS	1,122	1,100	143	248	189	843	9
TORT ACTIONS, TOTAL	37,822	41,893	221	2,898	9,170	28,993	314
PERSONAL INJURY:							
PERSONAL INJURY PRODUCT LIABILITY							
AIRPLANE	371	278	-	8	17	288	-
MARINE	193	112	-	8	89	80	-
MOTOR VEHICLE	862	812	-	7	28	874	8
ASBESTOS	2,788	4,239	-	8	141	4,092	-
OTHER	8,733	7,268	-	78	848	8,641	-
OTHER PERSONAL INJURY							
AIRPLANE	748	813	-	198	108	308	3
MARINE	4,466	4,387	33	120	3,881	888	8
MOTOR VEHICLE	8,602	8,778	10	800	283	8,938	74
ASSAULT, LIBEL AND SLANDER	888	810	-	80	180	888	14
FEDERAL EMPLOYERS' LIABILITY ACT	1,914	2,221	-	38	2,188	-	-
MEDICAL MALPRACTICE	1,782	1,778	-	838	20	1,208	18
OTHER	7,407	8,387	32	1,082	721	8,360	182
PERSONAL PROPERTY DAMAGE:							
FRAUD INCLUDING TRUTH IN LENDING	1,842	1,816	70	17	787	842	-
OTHER PERSONAL PROPERTY DAMAGE	2,207	2,217	78	218	807	1,413	3

TABLE C 2. U.S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1984 AND 1985

NATURE OF SUIT	1984	TOTAL	1985				
			U.S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
ACTIONS UNDER STATUTES, TOTAL	125,953	119,833	8,958	33,485	70,378	-	32
ANTITRUST	1,124	1,082	21	8	1,082	-	-
BANKRUPTCY SUITS:							
TRUSTEE	130	26	-	1	24	-	-
TRANSFER (918B)	368	211	-	1	210	-	-
APPEAL (801)	4,167	4,867	48	43	4,768	-	-
WITHDRAWAL (28 USC 168)	-	1,238	8	11	1,222	-	-
BANKS AND BANKING	313	343	76	91	178	-	-
CIVIL RIGHTS:							
VOTING	269	281	17	6	288	-	-
EMPLOYMENT	9,748	8,082	306	707	7,070	-	-
ACCOMMODATIONS	281	263	13	10	230	-	-
WELFARE	183	180	-	43	137	-	-
OTHER CIVIL RIGHTS	10,738	10,767	86	898	9,779	-	-
COMMERCE (ICC RATES, ETC.)	1,000	912	104	14	784	-	-
ECONOMIC STABILIZATION ACT	24	22	4	12	8	-	-
ENVIRONMENTAL MATTERS	871	882	328	183	161	-	-
DEPORTATION	193	186	-	186	20	-	-
PRISONER PETITIONS:							
MOTIONS TO VACATE SENTENCE	1,427	1,827	-	1,827	-	-	-
HABEAS CORPUS	10,264	11,939	-	3,408	8,620	-	14
MANDAMUS AND OTHER	670	664	-	373	180	-	-
CIVIL RIGHTS	18,888	19,448	-	867	18,480	-	1
FORFEITURE AND PENALTY:							
AGRICULTURAL ACTS	74	144	87	77	-	-	-
FOOD AND DRUG ACT	411	668	863	18	-	-	-
AIR TRAFFIC REGULATIONS	112	128	128	1	-	-	-
OCCUPATIONAL SAFETY AND HEALTH ACT	108	101	99	2	-	-	-
OTHER FORFEITURE AND PENALTY SUITS	3,008	3,669	3,802	87	-	-	-

TABLE C 2. U. S. DISTRICT COURTS
CIVIL CASES COMMENCED, BY BASIS OF JURISDICTION AND NATURE OF SUIT
DURING THE TWELVE MONTH PERIODS ENDED JUNE 30, 1984 AND 1985

NATURE OF SUIT	1984	TOTAL	1985				
			U. S. CASES		PRIVATE CASES		
			PLAINTIFF	DEFENDANT	FEDERAL QUESTION	DIVERSITY OF CITIZENSHIP	LOCAL JURISDICTION
LABOR LAWS:							
FAIR LABOR STANDARDS ACT	1,478	1,288	655	28	605	-	-
LABOR MANAGEMENT RELATIONS ACT	3,920	3,558	127	42	3,390	-	-
LABOR MANAGEMENT REPORTING AND DISCLOSURE ACT	304	223	40	4	179	-	-
RAILWAY LABOR ACT	224	247	-	2	245	-	-
OTHER LABOR LITIGATION	8,894	6,432	201	103	6,128	-	-
PROTECTED PROPERTY RIGHTS:							
COPYRIGHT	2,102	2,113	-	-	2,113	-	-
PATENT	1,010	1,155	2	8	1,145	-	-
TRADEMARK	2,186	2,144	4	-	2,140	-	-
SECURITIES, COMMODITIES, AND EXCHANGES	3,142	3,268	171	23	3,072	-	-
SOCIAL SECURITY LAWS:							
HEALTH INSURANCE	578	402	-	402	-	-	-
BLACK LUNG CASES	69	95	1	94	-	-	-
DISABILITY INSURANCE	24,215	15,403	43	15,360	-	-	-
SUPPLEMENTAL SECURITY INCOME	4,485	3,344	-	3,344	-	-	-
RETIREMENT AND SURVIVORS BENEFITS	527	383	-	383	-	-	-
OTHER	111	134	-	134	-	-	-
STATE REAPPORTIONMENT SUITS	7	2	-	-	2	-	-
TAX SUITS	3,855	2,955	873	2,077	-	-	16
CUSTOMER CHALLENGE	7	40	-	40	-	-	-
FREEDOM OF INFORMATION ACT OF 1974	478	555	-	524	41	-	-
OTHER STATUTORY ACTIONS	7,355	7,005	1,088	2,293	4,225	-	-
OTHER ACTIONS, TOTAL	587	484	-	15	309	2	158
DOMESTIC RELATIONS	-	5	-	-	-	-	5
INSANITY	94	-	-	-	-	-	-
PROBATE	-	-	-	-	-	-	-
SUITS INVOLVING LOCAL OFFICIALS	302	327	-	15	309	2	1
OTHER	191	152	-	-	-	-	152

magistrates. In 1976, Congress clarified and expanded the role of United States magistrates, and in 1979, Congress significantly increased the jurisdiction of United States magistrates. Magistrates are now allowed to try any civil case with consent of the parties and district court approval, and any judgment or order entered by a magistrate is appealable directly to the circuit court of appeals.

Similarly, with the passage of the Bankruptcy Reform Act of 1978, Congress sought to upgrade the efficiency and quality of federal bankruptcy laws and bankruptcy courts, however part of that act was subsequently declared unconstitutional in Northern Pipeline Construction Co. v. Marathon Pipeline Co., 458 U.S. 50 (1982).

In light of the expanded jurisdiction of magistrates and bankruptcy judges, the Judicial Conference of the United States at its March, 1982, session recommended that the provisions of 28 U.S.C. § 373 on the retirement benefits of non-Article III judges be amended to provide for enhanced retirement benefits for United States magistrates, bankruptcy judges, and court of claims judges. Subsequently, in 1984, in curing the constitutional defects in the Bankruptcy Reform Act of 1978, Congress took the opportunity to provide enhanced retirement benefits for bankruptcy judges. At that time in keeping with judicial conference positions that there should be parity between magistrates and bankruptcy judges, Senator Thurmond indicated his desire to see that magistrates receive the same retirement benefits as bankruptcy judges. However, because of the nature and controversy of the 1984 amendments to the Bankruptcy Reform Act, an election was made to seek separate legislation giving magistrates parity with bankruptcy judges in the area of retirement.

Accordingly, since March, 1984, there has been a disparity between retirement benefits for United States magistrates and bankruptcy judges.

In cooperation with the Committee on the Administrative of

the Magistrates System of the Judicial Conference of the United States, and the Administrative Office of the United States Courts, the National Council of United States Magistrates delayed seeking this parity legislation in favor of an attempt by the administrative office to have Congress enact the more generous retirement benefits recommended by the Judicial Conference in 1982.

In February of this year, the Director of the Administrative Office, Ralph Mecham, sent an executive communication to the President of the Senate and the Speaker of the House transmitting the Judicial Conference's recommendation that judges of the United States claims court, United States bankruptcy judges, and United States magistrates be included in the judicial retirement system now applicable to territorial district judges under 28 U.S.C. § 373. That bill was introduced in the House of Representatives by Representative Ken Gray of Illinois, as H.R. 4673. I understand that bill has been referred to the House Judiciary Committee, and a substitute bill is being prepared.

Because of Senator Thurmond's keen interest in providing a sound judiciary, Senator Thurmond was approached concerning the enhanced retirement bill for judges of the United States court of claims, United States bankruptcy judges, and United States magistrates. Again, he expressed his desire to maintain parity between magistrates and bankruptcy judges, and true to his previous commitment introduced S. 2529 to provide a retirement system for United States magistrates equal to the retirement system for bankruptcy judges. While this bill is less than that recommended by the Judicial Conference of the United States, United States magistrates are grateful to Senator Thurmond for his sponsorship of this bill to correct the disparity created between bankruptcy judges and magistrates in 1984.

Improved retirement benefits remain the number one concern of magistrates, and the passage of time since 1984 has heightened the urgency in achieving improvements in the retirement benefits

of magistrates. The Judicial Conference of the United States reported to Congress in 1981 that, "Most Magistrates enter on duty at a later stage of life than the typical career federal employee, and most Magistrates do not have prior federal service to apply towards their eventual annuity." The report concludes, "[a]s a result many Magistrates do not have the opportunity to accumulate the number of years of service that a career employee gathers. The shorter period of service results in a lesser annuity." The problem is vividly seen by specific examples. A magistrate who retires at age sixty-five (65) with fifteen (15) years of service as a magistrate retires from a salary of sixty-eight thousand four hundred (\$68,400) dollars per year to an annuity of seventeen thousand nine hundred dollars and 55/100 (\$17,900.55) per year. A similarly situated bankruptcy judge retires from the same salary to an annuity of twenty-five thousand six hundred and fifty (\$25,650) dollars a year, a difference of over seven thousand six hundred (\$7,600) dollars per year.

Magistrates and bankruptcy judges are unanimous in their resolution that the current retirement provisions for bankruptcy judges and magistrates are inadequate, but magistrates are further troubled by the continuing disparity between bankruptcy judges and magistrates. Accordingly, magistrates are most anxious to see S. 2529 passed.

The bill before the subcommittee today is, with appropriate changes, a word for word reproduction of the law as it now pertains to the retirement of bankruptcy judges except with regard to effective date. It provides an annuity for a magistrate who retires with ten (10) years of service equal to two and one-half (2 1/2) percent of his high-three (3) year average salary for each year of service as a magistrate or commissioner. This is essentially the same retirement benefit provided under the civil service retirement system to members of Congress and Congressional staffs before January 1, 1984.

In order to maintain parity with bankruptcy judges, it is respectfully suggested that the effective date of S. 2529 should be not later than March 31, 1984, since that was the effective date of the 1984 amendments of the Bankruptcy Reform Act. However, because of changes in the civil service laws, it would certainly be consistent to adopt an effective date of January 1, 1984.

We are fortunate that this bill patterns an existing law because we are able to correct some of the inadvertent errors which were created in the original law.

First and foremost is the original failure to provide coverage for future judicial officers. The most obvious benefit to the United States from this legislation, as cited by Senator Thurmond, will be the enhanced ability of the judiciary to attract highly qualified individuals to the position of magistrate. Unfortunately, the existing law has been interpreted with few exceptions as applying only to those bankruptcy judges in service as of January 1, 1984. Accordingly, we respectfully suggest that it be made clear that the provisions of this bill are to be applied prospectively, and that the provisions of the newly enacted Federal Employees Retirement System Act which applies to members of Congress is intended also to apply to magistrates.

Also, we would suggest that since this bill is intended to provide for the recall of retired magistrates as recommended by the Judicial Conference of the United States, that it also provide for the reappointment of magistrates over age seventy (70) upon a majority vote of the district judges as recommended by the Judicial Conference of the United States rather than unanimous vote as presently exists in the law. Finally, we would note that the use of the conjunctive in line 7 on page 3 of S. 2529 while consistent with the existing law concerning bankruptcy judges, appears to have been a drafting error and should have been the disjunctive, "or", in order to prevent any conflict in

the law concerning the vesting of a right to an annuity and the retirement of individuals prior to age sixty-two (62) under other provisions of the Act.

Further, the National Council of United States Magistrates would not be opposed in any way to the inclusion of judges of the court of claims or United States bankruptcy judges in such provisions of this bill as may be appropriate.

In summary, let me state without equivocation that the National Council of United States Magistrates urges the passage of legislation to improve the retirement system for United States magistrates during this session of Congress and suggests that the real benefit to this country of any such improvement lies in the prospective application of the improved retirement program to facilitate the appointment of highest qualified individuals as Magistrates in the future.

I would like also at this time to submit as an exhibit a letter from United States District Judge Spencer Williams, President of the Federal Judges Association, to United States Senator Ernest F. Hollings concerning the inadequacy of the present retirement program for United States magistrates and urging that the retirement system be improved to, at least, the level of United States bankruptcy judges.

On behalf of the National Council of United States Magistrates, I want to express my gratitude for the Chairman's taking time from his already busy schedule to hold these hearings in such a timely fashion. We know that these are additional duties which you assume as a result of most unfortunate circumstances. Please be assured of our absolute support for this legislation and our desires to cooperate fully with this subcommittee in any way possible. I will be happy to answer, to the best of my ability, any questions you may have.

FEDERAL JUDGES ASSOCIATION

1355 Market Street - Suite 155
San Francisco, California 94103
(415) 431-3190

WASHINGTON COORDINATOR
THOMAS F. RAILSECK
Blum, Noy & Russell
1111 15th Street N.W.
Washington, D.C. 20005
(202) 857-0220

June 23, 1986

Hon. Ernest F. Hollings
United States Senate
Washington, D.C. 20510

Dear Senator Hollings:

I understand that you have under consideration a measure to improve the retirement system for United States Magistrates.

Magistrates are, of course, an extremely important team member in the Federal Judiciary and the Federal Judges Association is most concerned about the inadequacy of their present retirement program. And without passing on whether the proposal is itself adequate, the Federal Judges Association believes the program should be improved to, at least, the level of other important team members, the Bankruptcy judges.

The ability of the Judiciary to recruit and retain highly-qualified people is a key element in permitting us to provide a high level of justice to the people of the United States. The availability of an adequate retirement system is, of course, an important factor in the decision making process of every person considering accepting an appointment as either a Magistrate or a Bankruptcy Judge. While this is not of direct concern to Article III Judges who are afforded life-time tenure under the Constitution, we are deeply aware of the problem for our teammates and urge Congress to give favorable consideration to the proposals it has before it.

If you have any questions or require any additional information, please do hesitate to contact me.

Very truly yours,

Spencer Williams
Spencer Williams
President

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Senator McCONNELL. Thank you, Mr. Carr. I believe that the hearing has adequately covered the points with regard to the legislation. I am going to ask that Senator Thurmond's statement be made a part of the record.

[Senator Thurmond's statement follows:]

PREPARED STATEMENT OF HON. STROM THURMOND, A U.S. SENATOR FROM THE STATE OF SOUTH CAROLINA, CHAIRMAN, COMMITTEE ON THE JUDICIARY

Mr. Chairman: I would like to commend the chairman of this subcommittee for calling this hearing to consider S. 2529, which provides for retired magistrates to be recalled to service and provides a retirement system for United States magistrates equal to the retirement system for bankruptcy judges. Since the creation of the United States Magistrate system in 1968, Congress has recognized the important role that magistrates play in our Federal courts and has passed legislation to expand their duties and authority.

With the steady growth of litigation in our Federal system, which fast approaches epidemic proportions, it seems both appropriate and desirable to provide assurances that this country has an adequate number and high caliber of magistrates. Indeed, I believe this bill will ensure that we continue to recruit and maintain the quality of judicial officers which we initially envisioned and have continually sought in enacting and subsequently expanding the magistrate system.

Since Congress replaced the United States Commission system with the Magistrate system in 1968, the responsibilities of magistrates have expanded to include civil and criminal misdemeanor cases. Judgments and orders entered by magistrates are appealable directly to Federal circuits courts of appeal. The Federal district courts, which oversee the magistrates, have successfully experimented with efforts to extend the role of Federal magistrates in the court system.

The expansion of the powers and jurisdiction of magistrates has reflected the recognition of Congress that magistrates are necessary and capable officers at the "front line of Federal justice." In acknowledgement of their important present and future role in our Federal system, I have introduced S. 2529 to provide retirement benefits commensurate with those enjoyed by our bankruptcy judges. If the Federal district courts are to continue to utilize magistrates to the extent which Congress intends, we should adopt measures to ensure the continued high quality of these judicial officers.

Senator McCONNELL. I really believe that we have laid the groundwork here for the passage of the legislation. What I want to commit to you all is that we will try to move that out of the committee as rapidly as possible, if I can get the unanimous consent to do that, and I believe I will be able to do it. We will try to get that on out of here as quickly as we can, and try to help you out on this.

So, I want to thank all of you for coming, and that concludes the hearing.

[Whereupon, at 10:40 a.m., the subcommittee was adjourned, subject to the call of the Chair.]

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